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ABSTRACT

In reaction to the Office of Education's plan for "educational renewal," in this document the National Advisory Council on Education Professions Development makes the following recommendations: (a) that a limited number of pilot efforts be undertaken to explore some of the ideas advanced under renewal, and that the concept of planned variation be employed in organizing these pilot efforts; (b) that the existing thrust of the programs now being administered under the Education Professions Development Act be maintained; (c) that a thorough appraisal of each of these existing programs be undertaken by both Office of Education personnel and panels consisting of persons outside the government, with the reports of their findings given wide distribution; (d) that the Office of Education prepare a full-scale policy statement outlining the course of action it proposes. Included as appendixes are selections from the "Congressional Record," from the Senate debate on the Educational Renewal Proposal, letters to and from Commissioner Marland, and appendixes to "Windows to the Bureaucracy" (a 1972 report from the National Advisory Council on Education Professions Development). (JA)

ED 095185

A REPORT ON EDUCATIONAL RENEWAL

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION
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National Advisory Council on Education Professions Development
Room 308, 1111 - 20th Street, N.W., Washington, D.C. 20036

The National Advisory Council on Education Professions Development was established by Public Law 90-35 in June of 1967. Members are appointed by the President. The Council is charged with the review of the Education Professions Development Act and of all other Federal programs for the training and development of educational personnel. Reports of findings and recommendations are made to the President and to the Congress.

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Oregon State Legislature
Portland, Oregon

* * * * *

Joseph Young - Executive Director

Last fall the Office of Education announced that it was planning to assume a new role of leadership and outlined plans for accomplishing this. This plan was advanced under the general heading of "educational renewal".[1]

The National Advisory Council on Education Professions Development has reviewed this proposal carefully and presents the following findings and recommendations:

1. The renewal proposal has been advanced as an effort based on the following concepts:

> . . . Increased concentration of resources in given settings
>
> . . . Systematic, locally organized assessment of needs -- both generally and with particular reference to the training of educational personnel
>
> . . . Opportunity for local units to propose a comprehensive plan of action based on this assessment of needs
>
> . . . Simplifying the procedures by which local units may make application for Federal support of several elements of its comprehensive plan

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[1] Documents describing the renewal proposal, the reaction of Congress to the proposal, and the issue of consolidation of Federal programs will be found in the Appendix. See Appendices A, B, C, and G.

> . . . Establishment of means by which a school system, universities, and a local community may work more effectively together on school problems
>
> . . . With reference to training of educational personnel, more emphasis on field-based and in-service training
>
> . . . Focus on the needs of students from low-income families

The Council finds these basic concepts -- whether enunciated under "renewal" or any other proposal -- to be eminently sound. Indeed, in its 1968-69 Report, the National Advisory Council on Education Professions Development advocated more emphasis on the placement of education personnel development in local contexts where there is a comprehensive, cooperative attack on system problems.[1] This is one of the major features of the renewal proposal.

In addition, the renewal proposal identifies the training and development of educational personnel as a key element in any significant improvement or reform effort.

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[1]See Appendix D.

The success of any educational endeavor -- and, in particular, the success of the many existing categorical programs -- turns largely on the qualifications of the educational personnel involved. Eloquent testimony for the need for more training is provided in a statement by Dr. Albar A. Pena, Chief of the Bilingual Education Programs Branch, U.S. Office of Education.

> One of the most critical needs in Bilingual Education which is not being fully met is that of staff development and teacher training. The demand for qualified, sensitive teachers for bilingual education programs is now indeed very great. Under our existing legislation, staff development and teacher training are provided through the inservice programs which each program must provide. However, unless other resources and possibly special funds under Title VII earmarked for this purpose are made available, we will not have the necessary corps of adequately trained teachers to meet the demands faced in the future. Therefore, we are hopeful that everyone concerned, be they individuals, institutions of higher learning, laboratories, or other federal programs, will pool all of their efforts to resolve this very critical concern. We stand ready to explore all possibilities with the expediency necessary to avoid a possible disaster.
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> [From "A Report on the Bilingual Education Program, Title VII, ESEA," an address delivered in Albuquerque, New Mexico, October 15, 1970.]

2. While the basic ideas of renewal are sound, it is the Council's view that much work remains to be done in developing these ideas to the point where they can be implemented successfully. The Council recommends that an intensive effort at thinking through the renewal proposal be undertaken and that a "proposed policy statement" be prepared by December 1972. Such a statement would be developed along the lines suggested in this Council's report to the President and Congress on January 25, 1972.[1] This "proposed policy statement" would then be examined by appropriate committees of the Congress with a view to determining what legislative authorizations, if any, were needed. This statement would also be the basis on which public bodies and the educational community might make necessary appraisals of the proposal.

The Office of Education has taken steps to develop such a policy statement. Persons from outside the government will be assembled this summer to work full time for a two month period on this project. Heading this

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[1] See Appendix E of this report. (Pages A-1 to A-18 of Windows to the Bureaucracy.)

group will be B. Othanel Smith, Professor of Education Emeritus, University of Illinois, and currently on the faculty of the University of South Florida. Professor Smith is principal author of the highly-regarded Teachers for the Real World.

We commend the Office of Education on this initiative, and urge

1) that, in organizing this endeavor, account be taken of the Council's recommendations on policy panels as outlined in Appendix C of the Council report referred to above;[1]

2) that ample funds be assigned this activity such that the full range of the best talent of the nation might be available to prepare this document;

3) that the Office of Education consider extending the time when the report of this policy panel is submitted, if the quality of the report would be enhanced thereby.

3. The Council sees the need for undertaking, immediately, a limited number of pilot efforts based on the general concepts of the renewal proposal. Pilots in twenty sites should be sufficient to accomplish the purposes outlined below.

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[1]See Appendix F of this report.

It is critical that this pilot effort be organized with a view to determining the advantages and disadvantages of various approaches to educational improvement and reform. It is important, therefore, that the concept of planned variation be employed in designing the several pilot projects.

Illustrations of the kinds of variations that should be considered follow:

> . . . Varying the combinations of existing Federal programs in the several sites. It would be important to bring together, in at least one site, the maximum number of programs. This would include -- in addition to the programs now being considered -- bilingual education, vocational education, environmental education, and like programs now administered by the Office of Education, provided such combinations were recommended under a locally-devised plan. Indeed, where appropriate, the possibility of drawing on educational programs of other Federal agencies (e.g., the National Science Foundation) should be considered.
>
> . . . Some sites might be selected wherein the combination of Federal programs would represent projects that had been funded for one or more years. In other sites the majority of projects under various programs would be newly-funded.
>
> . . . There should be a deliberate effort to vary the amount of money allocated to the several sites. In at least one or two sites the per-

pupil allocation -- resulting from the application of several Federal programs in a single site -- should be very substantially above the average.

. . . The time span over which a site was assured funding should be varied. Five years might be the average, with at least two or three -- especially those involving complex operations -- being given assurances of funding over a seven year period.

. . . Various approaches to the in-service training of educational personnel have been proposed over the last decade: training provided solely in the school; training as recommended by advisory bodies representing the schools, institutions of higher education, and the community; training as determined substantially by institutions of higher education; training as determined by educational personnel themselves, as in the British Teacher Center model. Various approaches to this matter should be provided for in the several sites.

. . . Under two Office of Education efforts inaugurated over the last several years (Task Force '72 and Project TREND), limited pilot efforts were undertaken to explore aspects of what is now known as "renewal". Some sites should be selected to build on this experience; others should be designed on the basis of different premises.

. . . Some educators argue that the most effective improvement or reform results when personnel in school systems are provided the resources to devise locally-developed approaches to educational problems. Others hold that improvement or reform, particularly when complex problems are involved, is best achieved when school systems are provided the resources to adopt or adapt approaches devised

externally; under conditions which make possible intensive and systematic development of a curriculum, a type of school organization, etc.; and by those with special expertness in conceptualizing and executing a multi-faceted model or plan. It would be desirable to have both approaches represented in the pilot sites.

. . . Some of the specific ideas proposed under the renewal plan announced last fall (e.g., the Educational Extension Agent) should be included as features of some sites and not of others.

. . . For some programs (e.g., the Bilingual Education Program), the expenditure of funds for the training and development of educational personnel, along with other aspects of the educational process, is specifically authorized. In some projects under these programs, a significant percentage of project funds is devoted to this purpose. In the case of such programs, two patterns might obtain in the pilot sites. In one, funds from Part D of the Education Professions Development Act would be employed to provide for this training; monies presently being expended for this training would be used to strengthen those other aspects of the educational process authorized by the legislation governing the program. In those sites where it was determined that the training of personnel was the principal need, Part D funds would be <u>added</u> to those being provided under the program.

. . . Differing approaches to needs assessment, competence-based teacher education, and like matters should be employed in the several sites.

. . . Sites should be selected with a view to determining the applicability of the general concepts underlying the renewal proposal to the following settings and special conditions:

urban and rural schools; regional differences, where these can be clearly identified; Indian schools; settings where a plan for integration is beginning or underway and settings where there is a massive concentration of low-income or minority children; and like conditions.

Undoubtedly, the students attending those schools included in the pilot sites would receive substantial benefit from concentration of resources and the other general concepts of renewal. Undoubtedly, too, the pilot sites will provide important new information about the efficacy of specific educational innovations employed in the several sites.

However important these and other outcomes might be, the Council wishes to emphasize that the primary purpose of this pilot effort should be to explore the merits of various general strategies of reform and improvement so that the Congress and the Executive Branch may make a determination as to how the Federal government can make its most effective contribution to the strengthening of the nation's educational system.

Setting this purpose as dominant in the pilot effort would have the following implications:

1) The pilot effort should be organized in such fashion that the advantages and disadvantages, the problems encountered, and like matters can be captured at each stage of development of the pilot sites and of the overall pilot effort. Sensitive descriptions of actions taken are a vitally needed aspect of the history of an enterprise which is designed to aid in the formulation of national policies. (This task; the need to make continuing assessments as the activity in the pilot sites progresses; the need to provide substantial amounts of technical assistance; and other special requirements will place unusual burdens on the Office of Education. Keeping such an endeavor within manageable proportions is one of the important reasons for recommending that the number of sites be limited to twenty.)

In the initial year of the pilots, activity should be confined to planning, with intense effort at designing and carrying out a needs assessment procedure in each local setting. In view of this it should be recognized that only the most preliminary information about the pilots may be available by January of next year, when some important decisions will have to be made. However, even limited information will prove to be an extremely helpful complement to the "proposed policy statement", which, as noted above, should be available in December. Further, it is important to start the pilots now, so that a reliable body of information about actual operations can be developed, on the basis of which important questions of educational policy may be decided over the next several years.

2) Because of the special purpose of this endeavor, the achievement of equitable national distribution of funds should not be a consideration. Rather, the selection of sites should be decided

in terms of which local settings, from a list of possibles, would best satisfy the requirements of planned variation, listed above.

3) If the pilots are to be examples of local school systems attempting to bring about fundamental improvements and reform, these school systems will have to make a number of fundamental changes in their existing practices. There is reason to believe that the local settings which might be selected as pilot sites would be prepared to do just that. However, this will require some commitments from the Federal government.

If a local community is to undertake a thorough-going needs assessment, a plan of action based on this may require a substantial outlay of funds. In addition, such a plan may call for important changes in organization, curriculum and other aspects of school operations, the success of which would require sustained support over a period of years.

The number of pilot sites should be determined on the basis of the ability of the Office of Education to provide adequate funds for reasonable requests made by the pilot sites, and to provide sustained support for the site over the period of time needed to assure success of local endeavors. Meeting these conditions may mean that the number of sites supported should be fewer than the twenty suggested above.

The Council feels strongly that funds for these sites be available only (1) from monies available as a result of an increased appropriation for programs involved or (2) from monies available as a result of the normal phasing out of existing projects. No program should be phased out, and no project should

be phased out prematurely to provide funds for the pilot sites.

4. The renewal proposal raises a number of fundamental issues which appear not to have been carefully considered. We mention three:

a. the role of higher education in the training and development of educational personnel;

b. provision for the reform and improvement of the pre-service training of educational personnel;

c. provision for the extraordinary numbers of educational personnel who will be needed over the next few years in certain fields (e.g., early childhood education).

These and comparable issues must be dealt with in any comprehensive policies being proposed by the Office of Education.

5. The Council recommends that the existing thrust of programs under the Education Professions Development Act be maintained. As part of the process of developing the "proposed policy statement" referred to above, the existing EPDA programs should be carefully examined with a view to determining what elements should be maintained, modified, or eliminated.

Specifically, we recommend that an appraisal of these programs be undertaken by Office of Education personnel and, independently, by panels of persons outside the government appointed for this purpose.

Reports prepared on the basis of these appraisals should be provided the appropriate committees of the Congress.

6. The use of needs assessment techniques is a key element in the renewal proposal. It is our observation that the state of the art with respect to this technique could accurately be characterized as primitive. Much more intensive work needs to be done if assessments of educational needs in local settings are to be successful.

7. The Congress and the Executive Branch must have the capacity to keep under constant review existing policies and programs in education. They must also have the capacity to propose new policies which will strengthen and improve American education. But the adoption of new policies should be based on fully-developed policy statements and on the experience gained from pilot efforts.

In Windows to the Bureaucracy, this Council spoke

specifically to this point in terms which are applicable to the Congress as well as to the Executive Branch:

> Sustained Effort. The turnover of personnel who direct Federal education activities is substantial. All too often, changes of personnel in the Executive Branch are accompanied by the promulgation of new priorities or the institution of new programs. This results in confusion and frustration on the part of those who direct projects in the schools or colleges. Federal efforts in education should be governed by policy, not by the inclinations of each new person assigned responsibility for an agency or a program. On occasion, changes in a course of action are inevitable, indeed desirable. But unnecessary changes will be kept to a minimum if policies are worked our thoroughly when a program is inaugurated, and if those advocating a new direction are required to provide a rationale more compelling than that which governs existing practice.

Recommendations

We are recommending in this report

1. that a limited number of pilots be undertaken to explore some of the ideas advanced under renewal, and that the concept of planned variation be employed in organizing this pilot effort.

2. that the existing thrust of the programs now being administered under the Education Professions Development Act be maintained.

3. that a thorough appraisal of each of these existing programs be undertaken by both Office of Education personnel and panels consisting of persons outside the government. Further, that reports setting forth the findings of the Office of Education study, and those of each of the panels appointed, be given wide distribution.

4. that the Office of Education prepare a full-scale policy statement outlining the course of action it proposes.

The recommendations concerning pilots should not be construed as an endorsement of "renewal" as a policy. An educational idea, however imaginative, is not a policy. A concept, however powerful, is not a policy. A term, however stirring, is not a policy. In its report, Windows to the

Bureaucracy, this Council has set forth its views as to what constitutes an adequate policy statement. The materials describing the renewal proposal do not meet these conditions.

Thus, while we applaud the Office of Education for its initiative in advancing some ideas that warrant most serious consideration, we urge that agency to bend every effort in the coming months to prepare a carefully drawn policy statement which will clearly indicate the course of action being proposed, and which will set forth the rationale for each major component of that course of action.

We urge the Congress to give the Office of Education explicit authorization to establish, as soon as possible, not more than twenty pilot sites where the ideas under the renewal proposal may be explored in selected school systems. Such authorization should insure that the integrity of the Federal programs involved is maintained; that the participation of school systems in these pilot sites is entirely voluntary; that funds are used only for those purposes authorized in each Federal program involved in a site;

and that the concept of planned variation is employed. Beyond this, the Office of Education should be given wide latitude in organizing this pilot effort.

Finally, we urge that, as soon as the Office of Education has completed preparation of a proposed policy statement, the Congress hold hearings so that a determination may be made as to what legislative authorizations are appropriate.

National Advisory Council on Education Professions Development

Report on Educational Renewal

APPENDIX

A. Senate debate on the Educational Renewal Proposal. (pages S-2708 to S-2732, Congressional Record, February 28, 1972).

B. Letter concerning educational renewal proposal from Dr. Sidney P. Marland, Jr., U.S. Commissioner of Education, to Representative John Brademas, Chairman, Select Subcommittee on Education, March 14, 1972.

C. Commentary on consolidation, packaging, and priority-setting. Report of the Senate Committee on Labor and Public Welfare on the Vocational Education Amendments of 1968. Senate Report No. 1386, July 11, 1968, pages 124-128.

D. Pages 66 and 67, 1968-69 Report of the National Advisory Council on Education Professions Development, January 31, 1969.

E. "Some Essential Elements of Policy", Appendix A, Windows to the Bureaucracy, a report of the National Advisory Council on Education Professions Development, January 25, 1972.

F. "Establishing Policy Panels", Appendix C, Windows to the Bureaucracy, a report of the National Advisory Council on Education Professions Development, January 25, 1972.

G. "Questions Concerning Renewal Plan", an attachment to a Council letter to Commissioner Marland, dated January 29, 1972 and Commissioner Marland's reply, dated February 29, 1972.

APPENDIX A

former attending physician at the Capitol, Dr. George W. Calver, died quietly at home early yesterday morning, February 27.

On December 8, 1928, Lt. Comdr. George Wehnes Calver, Medical Corps, U.S. Navy, was assigned as the physician in attendance to the U.S. House of Representatives as the result of a resolution of the House. A similar resolution was soon passed by the Senate, so that Dr. Calver, became the first physician to administer officially to Members of Congress.

When first assigned, he had no office; his center of operations was the Democratic cloak room of the House. By the time Vice Admiral Calver retired in 1966, his staff had increased to two medical assistants and several corpsmen and nurses.

During his 38 years tenure, Dr. Calver had many sage words of advice for his "constituents." Among them were his "10 commandments of health":

1. Eat wisely.
2. Drink lots of water and fruit juices.
3. Eliminate thoroughly.
4. Bathe cleanly.
5. Exercise rationally.
6. Accept inevitables.
7. Play enthusiastically.
8. Relax completely.
9. Sleep sufficiently.
10. Check up occasionally.

Admiral Calver had a distinguished career in the military service. He was commissioned on June 18, 1913, as lieutenant junior grade, and retired as vice admiral on September 30, 1966. In addition, he was a Fellow in the American College of Physicians, a member of many professional organizations, and served as president of the American College of Cardiology. He was a Past Grand Paramount Carabao in the Military Order of the Carabao.

During his 38 years as attending physician at the Capitol, he made many close friends among the Members of the Senate and House.

His widow Jessie, of Washington, D.C., and two daughters, Mrs. Paul F. Dickens of Washington, D.C., and Mrs. Elder Carl Swanson of Green Cove Spring, Fla., survive him.

I wish to express my deep regret at the passing of this man who served the two Houses of Congress so well over such a long period of time. His retirement was a sad occasion; his passing is a sadder one. To his family, we extend our condolences in their hour of sorrow.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a brief biography of Dr. Calver.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

VICE ADM. GEORGE WEHNES CALVER, MEDICAL CORPS, U.S. NAVY, RETIRED

George Wehnes Calver was born in Washington, D.C., November 24, 1887, a son of Dr. Thomas Calver and Lizzie Wehnes Calver. He attended Eastern High School and George Washington University in Washington, and was graduated in 1912 from the Medical School of that University. He entered the United States Naval Reserve on June 18, 1913, and was commissioned Assistant Surgeon with the rank of lieutenant, junior grade, Medical Corps, and transferred in the same rank to the Medical Corps, U.S. Navy, on April 10, 1914. He subsequently advanced through the grades to Medical Director with the rank of captain, as of May 30, 1934. On October 9, 1945, he was promoted to rear admiral, for temporary service, and on November 1, 1947, he transferred to the Retired List of the Navy in that rank. He was promoted to vice admiral effective September 30, 1966.

Upon reporting for active duty in 1913, he had instruction at the Naval Medical School, Washington, D.C. This course completed in May, 1914, he joined the USS SUPPLY at San Francisco, and one year later he was detached and ordered to the Asiastic Station for assignment. During the next two years he served at the Naval Stations, Guam, and Cavite, P.I., on the Yangtze Patrol aboard the USS PALOS and the USS GALVESTON, and in January, 1917, he was ordered to the Naval Hospital, Yokohama, Japan, for three months.

Throughout World War I, and until December, 1919, he served in Charleston, South Carolina, three months at the Navy Yard, and thereafter as Executive Officer of the Naval Hospital, Charleston.

He had duty with Destroyer Flotilla 2, Atlantic Fleet, from December, 1919, to February, 1922, successively in the USS BRIDGEPORT, the USS THOMAS, and again in the BRIDGEPORT. Ordered to the Hospital Corps Training School for Pharmacist Mates, at the Naval Hospital, Norfolk, Virginia, he served until May 29, 1923, when he joined the USS HENDERSON and was Senior Medical Officer of that transport until detached in February, 1927. He then reported to the Naval Dispensary, Navy Department, Washington, where he was Medical Inspector from April, 1927. He remained in that assignment ten years, with additional duty from December, 1928, in attendance at the House of Representatives during sessions of Congress.

From May 10, 1937, until July 14, 1941, he served at the Naval Medical Center, Washington, D.C., with additional duty as before as Attending Physician at the Capitol.

He was relieved of duty at the Naval Medical Center, but continued his duties as Medical Officer in attendance on the Congress. He also served as consultant in the Bureau of Medicine and Surgery, Research Division, before and during World War II. In addition to his primary duty of providing medical attendance to the membership of both the House and Senate, he has devoted himself diligently to medical research at the Naval Medical School, as well as serving actively as special consultant in internal medicine to the Naval Hospital, Bethesda. His retirement became effective on November 1, 1947, but he has remained continuously on active duty as before.

Vice Admiral Calver has the Victory Medal; American Defense Service Medal; American Campaign Medal; and World War II Victory Medal.

He married in 1916 Miss Jessie Willits, daughter of the late Admiral and Mrs. A. B. Willits, USN. They have two daughters, and reside at 2135 Ellicott Avenue, N.W., Washington, D.C.

Doctor Calver is a member of the American Medical Association, and in 1926 was elected a Fellow of the American College of Physicians. He was elected to the American College of Cardiology in 1951 and has served as President of the College of Cardiology. He is a Fellow of the American Geriatrics and Gerontological Societies and is certified by the American Board of Internal Medicine (1944).

Mr. GRIFFIN. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. GRIFFIN. Mr. President, on behalf of the leadership and the membership on this side of the aisle, I wish to associate with the remarks of the distinguished majority leader.

Dr. Calvin was not only an outstanding physician but, as the distinguished majority leader has said, he was also a close and valued friend of Senators and Members of the House of Representatives. He will be missed, and I join in extending sorrow and condolences to his family.

Mr. MANSFIELD. Mr. President, I thank the Senate for allowing us to make these few remarks.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GAMBRELL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BEALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EDUCATION AMENDMENTS OF 1972

The Senate continued with the consideration of the House amendment to S. 659, a bill to amend the Higher Education Act of 1965, the Vocational Education Act of 1963, and related acts, and for other purposes.

Mr. BEALL. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

On page 448, line 23, strike "June 30, 1973," and insert in lieu thereof "June 30, 1974".

Mr. BEALL. Mr. President, this is a very uncomplex amendment and not nearly so controversial as those we have been considering recently.

It simply changes the termination date for the section. Section 123 provides emergency assistance for institutions of higher education, those institutions having financial difficulty in surviving today's escalating costs.

When we passed the bill last year, we wanted to make it a 2-year program and have the program until 1973, because it was then 1971. It is now 1972, and we still want a 2-year program. The amendment simply changes the date from 1973 to 1974.

Mr. PELL. I have studied the amendment of the Senator from Maryland. I think it has great merit. I recommend to the Senate that we accept the amendment. I yield back the remainder of my time.

Mr. BEALL. Mr. President, I thank the Senator from Rhode Island, and I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Maryland. (Putting the question.)

The amendment was agreed to.

Mr. PELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BEALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BEALL. Mr. President, I would like to ask the manager of the bill to state as a matter of legislative history the procedure for administering the basic education opportunity grant program and the way in which the basic grant program would be related to the present student assistance programs.

Mr. PELL. The bill passed by the Senate does not deal with the specific administrative mechanism for the basic educational opportunity grant program. This matter is omitted because provisions in present law give the Commissioner of Education authority for administering this program under contractual arrangements. When the Committee on Labor and Public Welfare considered S. 659 in executive session, the method by which the basic grant program was administered was considered specifically. The committee believed that the administrative mechanism should be left under the authority of section 411(b) of the General Education Provisions Act. That section reads as follows:

(b) In administering any applicable program, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

Under this provision it is intended that the Commissioner will contract with colleges and universities at which basic grant recipients are in attendance for the administration of the program in each of the schools.

Within the colleges and universities, it is probable that student financial aid officers will administer the basic grant program. The student financial aid officers would receive copies of the schedules promulgated by the Commissioner as provided in the bill, and individual students seeking basic grants would make application through the financial aid officers. The student financial aid officers would then calculate, on the basis of the Commissioner's schedules, the amount which the student's family could reasonably be expected to contribute to his or her postsecondary education. Once that amount is calculated, the student will automatially receive the difference between that amount which the family is reasonably expected to contribute and $1,400. It is not foreseen that the basic grant program will be any more "Federal" than the present student aid programs are. It is probable that the basic grant program could not be operated without the services of student financial aid officers.

It is also expected that the Commissioner will carry out an intensive dissemination project in order to inform potential students of their rights under the basic grant program, and that he will provide technical assistance to institutions, aiding them in the administration of the program. The Commissioner has authority to carry on these activities under sections 412, 413, and 414 of the General Education Provisions Act.

The contract authority of the Commissioner of Education under section 411(b) of the General Education Provisions Act provides that the Commissioner must pay for the services of contractors. Therefore, the Commissioner will pay the administrative expenses of institutions of higher education for their activities under the basic grant program.

These funds will be paid to the institutions from appropriations for salaries and expenses of the Office of Education under section 401(c) of the General Education Provisions Act.

I would emphasize that the basic grant program is not a discretionary program. If a student qualifies for a basic grant under the law and the schedules established by the Commissioner, that student has a right to a grant in the amount established under those schedules. The student aid officer may not deny the student a grant to which he or she is entitled.

The basic grant program is intended to be a floor supporting the present student aid programs. It definitely is not intended to replace the present programs. As the bill is drafted, there is a separate authorization for the present programs apart from the basic grant entitlement. Any attempt to shift funds from present student aid programs to the basic grant program would be contrary to the intent of the committee.

In fact, the success of the basic grant program will be directly dependent on the continued funding of the present educational opportunity grant program, as well as on the work-study program and direct loan program, because these programs are intended to supplement the basic grant program. These supplementary programs must be used to give financial assistance to two categories of students: First, the supplementary programs will be used to provide additional financial assistance to those students of extreme need for whom the basic grant is insufficient to enable them to complete a postsecondary education program. Second, the supplementary programs will also be used for students who go to more expensive institutions of higher education who have need for assistance, but who are not eligible for basic grants.

There is no intent on the part of the committee that the total package of student aid programs serve only basic grant recipients.

Mr. BEALL. Mr. President, I thank the Senator.

Mr. PELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California is recognized.

Mr. CRANSTON. Mr. President, on behalf of the following Senators, who join me as cosponsors—Senators WILLIAMS, MONTOYA, and KENNEDY—I offer an amendment, send it to the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment will be read.

The legislative clerk proceeded to read the amendment offered by the Senator from California for himself and other Senators.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

Mr. DOMINICK. Mr. President, reserving the right to object, unless it is an extremely long amendment, would the Senator care to have it read? I would like to know about it, because I have had long discussions about it.

Mr. CRANSTON. I can explain it, but if the Senator wishes it read, we can do that. However, I will be glad to give him a copy to read while I am explaining it.

Mr. DOMINICK. If the Senator has a copy of it, fine.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? Without objection, it is so ordered.

The amendment offered by Mr. CRANSTON for himself and other Senators is as follows:

On page 635, beginning on line 16, strike out all down through line 6, on page 636, and insert in lieu thereof the following:

(5)(A)(i) The General Education Provisions Act is amended—

(I) in section 402 (as such section is added by clause (2) of subsection (a)), by adding at the end thereof the following new subsection:

"(c)(1) In order to enable the Commissioner to carry out the purpose and duties of the Office of Education, the Commissioner is authorized, during the period beginning July 1, 1972, and ending June 30, 1975, to make grants to, and contracts with, public and private institutions, agencies, and organizations for the dissemination of information, for surveys, for exemplary projects in the field of education, and for the conduct of studies related to the management of the Office of Education.

"(2) From the sums appropriated pursuant to section 401(c) for any fiscal year, the amount available for the purposes of this subsection shall not exceed $35,000,000.".

(II) in section 421 (as so redesignated by clause (1) of subsection (a)), by adding at the end thereof the following new subsection:

"(c)(1)(A) Except in the case of a law which—

"(i) authorizes appropriations for carrying out, or controls the administration of, an applicable program, or

"(ii) is enacted in express limitation of the provisions of this paragraph,

no provision of any law shall be construed to authorize the consolidation of any applicable program with any other program.

"(B) No provision of any law which authorizes an appropriation for carrying out, or controls the administration of, an applicable program shall be construed to authorize the consolidation of any such program with any other program unless provision for such a consolidation is expressly made thereby.

"(C) For the purposes of this subsection, the term 'consolidation' means any agreement, arrangement, or the other procedure which results in—

"(1) the commingling of funds derived from one appropriation with those derived from another appropriation,

"(ii) the transfer of funds derived from an appropriation to the use of an activity not authorized by the law authorizing such appropriation,

"(iii) the use of any practice or procedure which has the effect of requiring, or providing for, the approval of an application for funds derived from different appropriations on any basis, or according to any criterion, other than that for which provision is made in the law which authorizes the appropriation of such funds, or in this title, or

"(iv) the making of a grant or contract involving the use of funds derived from one appropriation dependent upon the receipt of a grant or contract involving the use of funds derived from another appropriation.

"(2)(A) No requirement or condition imposed by a law authorizing appropriations for carrying out any applicable program, or controlling the administration thereof, shall be waived or modified, unless such a waiver or modification is expressly authorized by such law or by a provision of this title or by a law expressly limiting the applicability of this paragraph.

"(B) There shall be no limitation on the use of funds appropriated to carry out any applicable program other than limitations imposed by the law authorizing the appropriation or a law controlling the administration of such program; nor shall any funds appropriated to carry out an applicable program be allotted, apportioned, allocated, or otherwise distributed in any manner or by any method different from that specified in the law authorizing the appropriation.

"(3) No person holding office in the executive branch of the Government shall exercise any authority which would authorize or effect any activity prohibited by paragraph (1) or (2).

"(4) The transfer of any responsibility, authority, power, duty, or obligation subject to this title, from the Commissioner to any other officer in the executive branch of the Government, shall not affect the applicability of this title with respect to any applicable program.";

(iii) by amending the heading of such section 421 to read: "ADMINISTRATION OF EDUCATION PROGRAMS".

(ii)(I) The provisions of section 421(c) of the General Education Provisions Act shall be effective upon the date of enactment of this Act. No provision of any law which is inconsistent with such section 421(c) shall be effective nor shall any such provision control to the extent of such inconsistency, unless such a law is enacted after the date of enactment of this Act and in express limitation of such section 421(c).

(II) Nothing in such section 421(c) shall be construed to authorize any activity not prohibited thereby.

(B)(i) There is hereby established, within the Office of Education, a Bureau of Elementary and Secondary Education (hereinafter in this subparagraph referred to as the "Bureau") which shall be responsible for the administration of the programs authorized by titles I, II, III (except section 306), V, VII, and VIII of the Elementary and Secondary Education Act of 1965, by section 222(a)(2) of the Economic Opportunity Act of 1964, by the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) and the Act of September 30, 1950 (Public Law 874, Eighty-first Congress). Within the Bureau there shall be—

(I) a Division of Compensatory Education with responsibility for the administration of the programs authorized by titles I and VIII of the Elementary and Secondary Education Act of 1965 and section 222(a)(2) of the Economic Opportunity Act of 1964;

(II) a Division of Bilingual Education with responsibility for the administration of the programs authorized by title VII of the Elementary and Secondary Education Act of 1965;

(III) a Division of School Assistance in Federally Affected Areas with responsibility for the administration of the programs authorized by such Acts of September 23, 1950, and September 30, 1950; and

(IV) a Division of Assistance to States, with responsibility for the administration of the programs authorized by titles II, III, and V of the Elementary and Secondary Education Act of 1965.

(ii) The Bureau shall be headed by an Associate Commissioner who shall be appointed by the Commissioner and who shall be placed in, and compensated at the rate specified for, grade 18 of the General Schedule set forth in section 5332 of title 5, United States Code; and each of the Divisions described in division (i) shall be headed by a Director who shall be placed in grade 17 of such General Schedule; and in addition, there is hereby created, and assigned to the Bureau, four additional positions to be placed in grade 16 of such General Schedule. The positions created by this division shall be in addition to the number of positions placed in the appropriate grades under section 5108 of title 5, United States Code.

(C)(i) During the period beginning on the date of enactment of this Act and ending June 30, 1974, the Commissioner is authorized, notwithstanding paragraph (1) of section 421(c) of the General Education Provisions Act, to use funds available for the purposes of—

(I) section 306 of the Elementary and Secondary Education Act of 1965;

(II) part D of title V of the Higher Education Act of 1965; and

(III) except as is provided in division (ii), section 402(c) of the General Education Provisions Act;

for assisting local educational agencies in planning, developing, and operating education renewal sites. Such assistance shall be used to support innovative projects carried out in one or more schools in the field of elementary and secondary education designed to bring about comprehensive reform in the educational process. Such projects may include, among other activities, the training and retraining of teachers and other educational personnel, including the payment of such stipends as the Commissioner may determine to such persons (including allowances for subsistence and other expenses for such persons and their dependents) while participating in such training or retraining.

(ii) The funds available under section 402(c) of the General Education Provisions Act for the purposes of division (i) shall be that part of the appropriation under such section which the Commissioner certifies to the Congress is not needed to carry out (I) the statistical operations of the Office of Education, (II) surveys and studies by the Office of Education, and (III) the continuation, during the fiscal years ending June 30, 1973, and June 30, 1974, of the educational television programs popularly known as "Sesame Street" and "The Electric Company".

(iii) Nothing in this subparagraph shall be construed to authorize the funds made available for education renewal sites under division (i) to be used for any activity not authorized by the law authorizing the appropriation of such funds.

(iv) The Commissioner is hereby authorized to request appropriations under the authority of section 401(c) of the General Education Provisions Act to supplement the funds made available to him under division (i) for education renewal sites.

(D)(i) The Commissioner is hereby authorized, consistent with the amendments made by this paragraph (5), to provide assistance to local educational agencies, during the fiscal years ending June 30, 1973, and June 30, 1974, in order to continue the program known as "Right To Read" which is designed to improve reading programs and end illiteracy, which assistance shall be used to identify exemplary reading programs and support local educational agencies which adopt such exemplary programs. The Commissioner is authorized to request, under the authority of section 401(c) of the General Education Provisions Act, such sums as are needed to implement this subparagraph (D).

(ii) None of the funds authorized to be appropriated under subpart 4 of title IV-A of the Higher Education Act of 1965 shall be used for the program known as "Right To Read".

Mr. CRANSTON. Mr. President, the amendment I offer is designed to clear up a very confusing and unnecessarily complicated situation which has developed in the Office of Education in the past 5 or 6 months. The Commissioner of Education is proposing reorganizational schemes, new funding patterns, and program consolidations in order to implement the so-called educational renewal site strategy.

The Commissioner has stated that the fundamental purpose of the Office of Education is to assist school systems to improve educational achievement and that the Office of Education must be an active participant in education reform, a purpose which I support when he uses procedures authorized by law. The major component of the Commissioner's strategy was described as a simply a new "administrative procedure." However, upon examination, this administrative procedure involves a great more than a simple internal organizational matter—it is a reorganization which is designed to change education programs now authorized by law in a manner, which I believe and the chairman of the Education Subcommittee (Mr. PELL) believes, is inconsistent with the intent of Congress. A major part of the strategy involved the consolidation of four programs—the teacher training institutes under the Education Professions Development Act, the dropout prevention program, and the Federal share of title III of the Elementary and Secondary Education Act—into a single program, that is the education renewal site program.

At the same time, in order to accomplish this purpose, three bureaus of the Office of Education were completely disrupted and reorganized, joining and separating programs without regard for the interests of the education community or the intent of the Congress.

It was intended that the Commissioner would establish 200 education renewal sites in fiscal 1973, and that the number would be increased each year until 1,000 sites involving 10,000 schools would be in operation throughout the country. This was intended to be accomplished without authorizing legislation.

A number of members of the Committee on Labor and Public Welfare and of the House Committee on Education and Labor became concerned about the Commissioner's activities in this area. Both the House and Senate reports on the pending bill expressed concern about this proposal and questioned the legal authority of the Commissioner to carry it out without congressional approval. In spite of these reports, the Commissioner proceeded with the project, with no consultation with the Congress.

On October 14, 1971, the Commissioner announced to Office of Education employees his final approval of the project and on October 15 transfers of personnel were begun. Shortly thereafter, State educational agencies and selected local educational agencies were notified that they were to prepare for the new program.

The chairman of the Education Subcommittee (Mr. PELL) then made inquiries on this matter and pointed out that, at least with respect to the dropout prevention program and the bilingual education program, the Commissioner's plans were not authorized by law. Finally, on January 7 the Commissioner informed the chairman that the bilingual education program and the dropout prevention program were to be omitted from the project. At that time, the chairman was informed that only about 30 initial sites were planned.

Exactly 2 weeks later, the Commissioner's subordinates contradicted the Commissioner's letter to the chairman in a telegram to State educational agencies and at a meeting with the council of the great city schools. In the first place, no notice was given that the bilingual program was no longer to be consolidated; in the second place, the bilingual program was specifically mentioned as being one of the "programs under one blanket—renewal"; and the number of renewal sites was changed from about 30 to "about 60."

When the Budget for fiscal year 1973 was submitted, that also contradicted the Commissioner's statements in his letter to the chairman. In fact, the language of the budget request was such that the Office of Education was asking for approval of its new program by way of an appropriation act rather than by authorizing legislation, as the rules of the Senate and the House of Representatives provide.

On two occasions, the chairman of the subcommittee requested that the Commissioner defer any further action on the renewal site proposal. In spite of this, school districts were informed of application deadlines and the project continued. I might note, Mr. President, that, in spite of assurances from the Commissioner that he was obeying the law, the procedures being used in these application procedures were blatantly illegal. Section 421 of the General Education Provisions Act requires application procedures to be published in the Federal Register 30 days before the procedures take effect.

With this by way of background, I would like to express my particular concern about the future of the bilingual education program. Even though the Commissioner has assured us that it will not be consolidated into the renewal program, his subordinates still talk about bilingual education funds as part of the renewal site concept.

The bilingual program is a congressionally mandated single purpose program of major importance to California as well as to other States having large numbers of Spanish-speaking children. It is nowhere near achieving its goal, but it is making a spendid start. A recent report of the U.S. Commission on Civil Rights indicates that we need a much higher priority for bilingual-bicultural education in the Southwest and across the Nation. Bilingual education needs increased visibility rather than subversion under the renewal program.

It is a program of major concern to California, where at least 5.6 percent of the population is Spanish-surnamed and there are 646,000 Spanish-surnamed children in elementary and secondary schools.

I am not convinced that we can be sure of preserving the integrity of the bilingual education program so long as it is associated with the education renewal program.

Therefore I am offering an amendment which would permit the Commissioner to initiate an education renewal strategy, and to provide specific legislative authority for the "Right To Read" program, but which would restore the Office of Education to its former structure until such time as legislation is enacted altering its structure organizationally.

The amendment I am offering contains the following provisions:

First, it authorizes specific funds to carry out the Commissioner's education renewal strategy.

Second, it provides specific legislative authority for the "Right to Read" program.

Third, it prohibits unauthorized program consolidations and unauthorized meddling with provisions of authorization legislation.

Fourth, it continues the organization of the Office of Education along the lines existing prior to the time education renewal reorganization occurred.

Firth, it gives increased status to the bilingual education program in order to preserve its integrity.

Another matter along this same line will be dealt with by my amendment. The Congress has supported the Upward Bound program during the past 5 years. No one has questioned its success. Now, without benefit of legislation, the Commissioner has begun siphoning off Upward Bound funds for the Right to Read program. The Right to Read program has admirable goals with which I agree; however, it ought to be funded separately under specific legislation and not by funds appropriated for other purposes. My amendment will make this possible and, at the same time, preserve the Upward Bound program.

I would urge the adoption of my amendment if for no other reason than that it preserves congressional prerogative. It seems the Department of Health, Education, and Welfare has, in this instance, held the Congress in rather low esteem. It has disregarded statutes. It has ignored obvious legislative intent. It has failed to inform and consult with the Congress. The proper role of the Congress in making education policy must be established and maintained. With this amendment, the Congress will reassert its proper role in making policy decisions relation to the Nation's education systems.

In view of the interest of HEW and many others in this matter, a meeting was held in my office this morning with Secretary Richardson, attended by members of his staff, by members of my staff, by members of this committee's staff, by members of the Appropriations Committee staff, and other interested persons, to discuss this amendment and the situation that has caused me to prepare it.

The Secretary indicated his concerns about the amendment, and hoped that we might be able to agree upon a procedure to deal with the concerns that many of us in the Senate and many people involved in education in the country have over this situation, in a way that could resolve the matter without legislative action.

I have great respect for Secretary Richardson, and sympathize with many of the views he expressed. We finally reached an understanding that I would proceed to call up the amendment today and seek its adoption. We were partly in a straitjacket on time, today being the only time when this amendment can be called up before the bill moves beyond this stage, and there would be no opportunity in the foreseeable future during this legislative year to deal with this situation if we did not deal with it today.

We agreed that subsequent to the time that the Senate agrees to this amendment, if it does, and prior to the conference, if we could reach an agreement with Secretary Richardson spelled out in writing that would achieve what he wishes to achieve short of actual legislative action, but would also achieve what many of us in the Senate wish to achieve without the necessity of legislative action, and if those assurances were satisfactory to those Senators who have expressed concern over these matters, then I would not press in conference for the adoption of this amendment by the conferees.

Mr. President, I ask unanimous consent that a section-by-section analysis of the amendment be printed in the RECORD at this point, followed by pertinent correspondence and other materials regarding the Office of Education's renewal site strategy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ANALYSIS OF THE AMENDMENT RELATING TO EDUCATION RENEWAL SITES AND "RIGHT TO READ"

This amendment rewrites paragraph (5) of section 301(b) of the Committee Amendment by—

(1) conforming the provisions of paragraph (5) in the Committee Amendment with the other parts of the General Education Provisions Act;

(2) prohibiting unauthorized program consolidations and limitations on appropriated funds;

(3) establishing by statute the former Bureau of Elementary and Secondary Education;

(4) specifically authorizing an education renewal site strategy for the reform of education; and

(5) specifically authorizing funding for the program known as "Right to Read".

The amendment contains four subparagraphs as follows:

Subparagraph (A) contains amendments to the General Education Provisions Act. The General Education Provisions Act, un-

der present law, contains those general provisions which control the administration of education programs for which the Commissioner of Education has administrative responsibility. The Committee Amendment amends that Act by adding provisions which establish an Education Division in the Department of Health, Education, and Welfare (consisting of the Office of Education, the National Foundation for Postsecondary Education, and the National Institute of Education), and which authorize survey, studies, and demonstrations in the field of education. This latter provision is rewritten by this amendment.

Division (i) of subparagraph (A), in clause (I) thereof, inserts a new subsection (c) into section 402 of the General Education Provisions Act, which section 402 is previously created in order to act as an organic statute for the Office of Education. This new section 402(c) is comparable with the proposed section 421(d) of the General Education Provisions Act in the Committee Amendment. Such section 402(c) provides, in paragraph (1), that in order to enable the Commissioner of Education to carry out the purpose and duties of the Office of Education, he is authorized, during the period beginning July 1, 1972, and ending June 30, 1975, to make grants and contracts for the dissemination of information, for surveys and for exemplary projects in the field of education and grants and contracts for the conduct of studies related to the management of the Office of Education. Public and private institutions, agencies, and organizations are eligible recipients of such grants and contracts. Paragraph (2) of such section 402(c) limits the amount of the appropriation under section 401(c) of the General Education Provisions Act which may be used for the purposes of such section 402(c) to $25,000,000 for any fiscal year. Such section 401(c) authorizes to be appropriated, as part of the salaries and expenses of the Office of Education, such sums as may be necessary to carry out the General Education Provisions Act. Such section 402(c) of the General Education Provisions Act differs from the section 421(d) proposed in the Committee Amendment in that—

(1) it states explicitly that the purpose of the subsection is to enable the Commissioner to carry out responsibilities vested in him by the organic statute of the Office of Education; and

(2) it makes clear that appropriations for the purposes of the subsection are to be part of the general appropriation for the General Education Provisions Act, in contrast with appropriations for the National Foundation for Postsecondary Education and the National Institute of Education, which are intended to be separate appropriations.

In *clause (II)*, division (i) of subparagraph (A) amends section 421 of the General Education Provisions Act (which section 421 is section 411 under present law and is redesignated as section 421 by clause (1) of section 301(a) of the Committee Amendment) by adding a new subsection (c) thereto prohibiting unauthorized program consolidations and unauthorized limitations on funds appropriated for education programs. The proposed section 421(c) contains four paragraphs as follows:

Paragraph (1) of such section 421(c) provides, in subparagraph (A), that no provision of any law shall be construed to authorize the consolidation of any education program with any other program, except when such a consolidation is expressly authorized by—

(1) a law which authorizes the appropriation, or controls the administration of, an education program; or

(2) a law which is enacted in express limitation of such paragraph (1).

Paragraph (1) of such section 421(c) further provides, in subparagraph (B), that no provision of any law which authorizes an appropriation for carrying out, or controls the administration of, an education program shall be construed to authorize the consolidation of any education program with any other education program unless provision for such a consolidation is expressly made in a statute authorizing appropriations for an education program.

In this analysis the term "education program" is used to refer to any program to which the General Education Provisions Act is applicable.

Subparagraph (C) of paragraph (1) of such section 421(c) defines the term 'consolidation'. The term 'consolidation', for the purposes of subsection (c) of section 421, means any agreement, arrangement, or other procedure which results in any of four actions, namely—

(1) the commingling of funds derived from one appropriation with those derived from another appropriation,

(2) the transfer of funds derived from an appropriation to the use of an activity not authorized by the law authorizing such appropriation,

(3) the use of any practice or procedure which has the effect of requiring, or providing for, the approval of an application for funds derived from different appropriations on any basis, or according to any criterion, other than than for which provision is made in the law which authorizes the appropriation of such funds, or in the General Education Provision Act, or

(4) the making of a grant or contract involving the use of funds derived from one appropriation dependent upon the receipt of a grant or contract involving the use of funds derived from another appropriation.

Paragraph (2) of such section 421(c) relates to the waiver and modification of requirements set forth in authorizing legislation, and to the imposition of limitations on appropriations other than, or inconsistent with, limitations placed in authorizing legislation.

Subparagraph (A) of section 421(c)(2) provides that no requirement or condition imposed by any law which authorizes appropriations for carrying out any education program, or by any law controlling the administration of any such program, shall be waived or modified unless such a waiver or modification is expressly authorized in one of these three statutes:

(1) A waiver or modification may be authorized by the law authorizing the appropriations for the program for which the waiver or modification is authorized; or

(2) A waiver or modification may be authorized by the General Education Provisions Act; or

(3) A waiver or modification may be authorized by a law which expressly limits the applicability of paragraph (2).

Subparagraph (B) of such section 421(c)(2) provides that there shall be no limitation on the use of funds appropriated to carry out any education program other than limitations imposed by the law controlling the administration of an education program. Such subparagraph (B) further provides that funds appropriated to carry out an education program shall not be allotted, apportioned, allocated, or otherwise distributed in any manner or by any method different from that specified in the law authorizing the appropriation.

Paragraph (3) of such section 412(c) provides that no person holding office in the executive branch of the Government shall exercise any authority which which authorize or carry out any activity prohibited by paragraphs (1) and (2) of section 421(c).

Paragraph (4) of section 421(c) provides that if any responsibility, authority, power, duty, or obligation subject to the General Education Provisions Act is transferred from the Commissioner to any other officer in the executive branch of the Government, such transfer shall not affect the applicability of the General Education Provisions Act to the education program with respect to which such responsibility, authority, power, duty, or obligation applies.

Clause (III) of division (i) of subparagraph (A) of paragraph (5) makes a conforming amendment to the capition head of section 421 of the General Education Provisions Act.

Division (ii) of subparagraph (A) of paragraph (5) relates to the effectiveness of section 421(c) of the General Education Provisions Act, which is added by clause (II) of division (i) of such subparagraph (A).

Subdivision (I) of such division (ii) provides, in the first sentence thereof, that the provisions of section 421(c) of the General Education Provisions Act shall be effective upon the date of enactment of the bill, S. 659. The second sentence of such subdivision (I) provides that no provision of any law which is inconsistent with such section 421(c) shall be effective, unless such ala w is enacted after the date of enactment of S. 659, and then only if such a law is enacted in express limitation of such scetion 421(c). In the case of a law which is only partially inconsistent with such section 421(c), that law shall not be effective to the extent of such inconsistency.

Subdivision (II) of such division (ii) provides that nothing in such section 421(c) shall be construed to authorize any activity not prohibited in such section 421(c).

Subparagraph (B) of section 301(b)(5) establishes within the Office of Education the Bureau of Elementary and Secondary Education. Its area of jurisdiction, as set forth in division (1), includes the administration of the programs authorized by titles I, II, III (except section 306), V, VII, and VIII of the Elementary and Secondary Education Act of 1965, by section 222(a)(2) of the Economic Opportunity Act of 1964, by the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) and the Act of September 30, 1950 (Public Law 874, Eighty-first Congress).

The second sentence of division (i) divides the Bureau as follows:

(1) a Division of Compensatory Education with responsibility for the administration of the programs authorized by titles and VIII of the Elementary and Secondary Education Act of 1965 and section 222(a)(2) of the Economic Opportunity Act of 1964;

(2) a Division of Bilingual Education with responsibility for the administration of the programs authorized by title VII of the Elementary and Secondary Education Act of 1965;

(3) a Division of School Assistance in Federally Affected Areas with responsibility for the administration of the programs authorized by the Acts of September 23, 1950, and September 30, 1950; and

(4) a Division of Assistance to States, with responsibility for the administration of the programs authorized by titles II, III, and V of the Elementary and Secondary Education Act of 1965.

Division (ii) of subparagraph (B) of section 301(b)(5) specifies the personnel organization of the Bureau of Elementary and Secondary Education. The Bureau shall be headed by an Associate Commissioner who shall be appointed by the Commissioner and who shall be placed in, and compensated at the rate specified for, grade 18 of the General Schedule set forth in section 5332 of title 5, United States Code; and each of the Divisions described in division (i) shall be headed by a Director who shall be placed in grade 17 of such General Schedule. In addition, division (ii) creates and assigns to the Bureau four additional positions to be placed in grade 16 of such General Schedule. The positions created by division (ii) shall be in addition to the number of positions placed in the appropriate grades under section 5108 of title 5, United States Code.

Subparagraph (C) of such paragraph (5) authorizes the Commissioner to carry out an educational renewal site strategy. Such subparagraph contains four divisions as follows:

Division (i) of such subparagraph (C) provides, in the first sentence thereof, that during the period beginning on the date of enactment of S. 659 and ending June 30, 1974, the Commissioner is authorized to use funds available for the purposes of—

(1) section 306 of the Elementary and Secondary Education Act of 1965;

(2) part D of the Higher Education Act of 1965 (the Education Professions Development Act); and

(3) section 402(c) (as added by clause (I) of section 301(b)(5)(A)(i) of S. 659) of the General Education Provisions Act;

for assisting local educational agencies in planning, developing, and operating education renewal sites. The second sentence of division (i) describes the activities to be carried out in education renewal sites. Assistance under the first sentence of division (i) may be used to support innovative projects in the field of elementary and secondary education which are carried out in one or more elementary or secondary schools to bring about comprehensive reform in the educational process. Such projects may include, among other activities, the training and retraining of teachers and other educational personnel, including the peyment of such stipends as the Commissioner may determine, to such persons while participating in such training or retraining.

Division (ii) of subparagraph (C) limits the extent to which funds available under section 402(c) of the General Education Provisions Act may be used for education renewal sites. The Commissioner must first use appropriations for the purposes of such section 402(c) for—

(1) the present statistical operations of the Office of Education;

(2) maintenance of the surveys and studies of the Office of Education at the present level; and

(3) the continuation, during the fiscal years 1973 and 1974, of the educational television programs popularly known as "Sesame Street" and "The Electric Company".

Any funds appropriated for the purposes of section 402(c) which remain available after carrying out the above activities shall be available for education renewal sites.

Division (iii) of such subparagraph (C) provides that funds available under division (i) of such subparagraph for education renewal sites must be expended for the purposes of the program for which they were appropriated.

Division (iv) of such subparagraph (C) authorizes the Commissioner to request, under the authority of section 401(c) of the General Education Provisions Act, appropriations to supplement the funds made available to him under division (i) of such subparagraph (C) for education renewal sites.

Subparagraph (D) of paragraph (5) of section 301(b) authorizes the Commissioner to continue the program known as "Right to Read" during fiscal years 1973 and 1974 with funds requested and appropriated under section 401(c) of the General Education Provisions Act. Expenditures of fundr under the Right to Read program shall be to identify exemplary reading programs and support local educational agencies which adopt such exemplarly programs. Such subparagraph (D) specifically prohibits funds authorized for Upward Bound, Talent Search, and the program of Special Services for the Disadvantaged from being used for the Right to Read program.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, D.C., December 8, 1971.

Hon. ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CRANSTON: Enclosed is a copy of a letter I recently sent Senator Pell describing plans to implement our educational renewal site strategy, and how they meet the mandates of existing law. I know our planning has aroused considerable interest, and we have received a great many inquiries about the specifics. I hope this letter will be helpful in answering any questions you may nave.

As the cornerstone of the Office of Education's effort to assist school districts in carrying our comprehensive reform. I believe the renewal site concept is absolutely crucial to Federal education leadership in the years ahead. If you have further questions about this important new strategy, I would be glad to answer them.

Sincerely yours,
S. P. MARLAND, Jr.,
U.S. Commissioner of Edvcation.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, D.C., December 3, 1971.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PELL: This is in further response to your recent letter requesting information on the legality and impact on present Office of Education (OE) programs of my plans to reform the administration of certain OE programs. We are replying separately to concerns expressed in copies of telegrams attached to your letter pertaining to the transfer of functions within the Office of Education involving the ESEA Title II program.

I believe my specific plans can best be understood in the context of my view of the role of the Office of Education. It is my firm conviction that the fundamental purpose of OE is to assist the school systems of this country to improve the educational achievement of the students who attend them. The Office of Education must be an active participant in the contniuing process of educational reform and change that is required to achieve this goal. To assure that OE will be of significant help to local school systems, I have been developing a general reform and renewal strategy for the Office. That strategy, which has been enthusiastically endorsed by Secretary Richardson, will require changes in the administration of some OE programs. All changes will be consistent with existing education legislation and will enable the Office to carry out the programs authorized by the Congress in a much more effective manner.

The major component of my renewal strategy is something that we have termed "Educational Renewal Sites." We intend this new administrative procedure (which will become operational in Fiscal Year 1973) to be the key element advocate of renewal and reform in American education.

Simply stated, the renewal site strategy is as follows. Several existing Office of Education elementary and secondary project grant programs will be administratively coordinated in the future. The funds from these programs will continue to be available to local school districts. Some number of schools from within each district that is a successful applicant under this approach will be selected as an "educational renewal site" and the Federal funds will be concentrated in the "aite." The specific OE programs that will be administered under this new approach are: (a) Bilingual education programes (Title VII of the Eelmentary and Secondary Education Act); (b) the Dropout Prevention Program (Section 807 of Title VIII of ESEA); (c) the 15 percent of the Title III ESEA Program which is for special programs and projects (Section 306 of Title III of the Elementary and Secondary Education Act); and (d) Part D of the Education Professions Development Act (Tritle V of the Higher Education Act).

To receive funds under this arrangement, a school district, in addition to meeting the normal requirements for the separate programs, will agree to:

Involve all the appropriate members of the local community (teachers, administrators, parents, students, community groups, etc.) in the educational efforts at the renewal site;

Make an assessment of all the educational needs of those schools which will comprise the renewal site; and

Develop a comprehensive program designed to meet and overcome the problems discovered in the needs assessment.

Federal funs from the programs noted above will enable the schools comprising the site to develop the overall strategy, hire outside consultants, obtain the necessary materials and prepare teachers to use whatever techniques are needed to carry out the comprehensive educational program that has been developed for the site. These funds will be in addition to, and will not replace, the funds received by the district from State and local taxes, and from other Federal grant programs (e.g., impacted areas). Our objective is to enable school districts to use these major sources of funds in a more effective way under the impetus of the renewal site strategy. Such coordinated Federal funding will, be believe, encourage comprehensive planning and integrated programs on the local level.

The single most compelling reason for the development of this particular strategy is the assistance it will give to local school systems in their attempts to serve the educational needs of their students. This new approach will, we hope, lead to a measurable improvement over time in the educational achievement of students in the sites. In addition, it can instill in local schools an appreciation of the necessity for a continuous *process* of reform and give them the capacity to engage in self-evaluation and productive change even after the termination of Federal support.

In response to the legitimate concerns of school administrators over myriad and complicated Federal grants procedures, the renewal site strategy is designed to simplify such procedures at the local level. School districts which seek Federal funds for activities authorized under the above-referred to statutes will be able to submit a single application form. Such application will be reviewed against eligibility criteria which will, to the greatest extent consistent with pertinent enabling statutes, be integrated into a single regulaion. Although some of the details of operational procedure have not yet been finally determined, I have listed in an enclosure to this letter some basic decisions respecting the manner in which specific aspetcs of existing legislation relating to such matters as advisory councils, accounting procedures, etc. will be handled. As you will note, all such matters will be administered consistently with legislative intent.

Some specific concerns have been expressed about the future disposition of programs authorized by the Education Professions De-

velopment Act (EPDA). As noted above, the EPDA programs affected by the educational renewal site strategy will be those authorized by Part D of Title V of the Higher Education Act. Any other parts of that Title for which funds are appropriated by the Congress, e.g., the Teacher Corps, will continue to be administered as separate programs.

The renewal site strategy has been reviewed by HEW's Office of General Counsel, which has advised that it finds no legal infirmity in the basic concept underlying this approach. As we formulate the procedural details of this program, we shall be working in cooperation with the Office of General Counsel to assure that (1) rules of eligibility for program grants under the pertinent appropriations will be consistent with standards of eligibility in the corresponding enabling statutes and (2) sufficient accounting procedures on the part of the grantee and the Office of Education will be followed to ensure that the purposes for which funds were appropriated and granted are satisfied by the grantees' expenditures.

The coordination of the programs affected by the renewal site strategy will be implemented within the Office by having them administered by a single unit reporting to the Deputy Commissioner for Development. These programs (Bilingual Education, Dropout Prevention, fifteen percent of Title III ESEA, and Part D of EPDA) will be administered by the new unit which we have named the National Center for the Improvement of Educational Systems. This unit will provide organizational coherence for the educational renewal site strategy.

Everything that I have done thus far as Commissioner of Education, and everything that I propose to do in the future, has one major goal—to assure that the Office of Education can effectively aid the school systems of our country to increase the educational achievement of children. I intend to make the Office an energetic agent of renewal and reform in education at all levels consistent with our statutory mission. The changes in OE practices and procedures that I have discussed in this letter are essential components of my renewal strategy.

I earnestly request your understanding of and support for these changes in OE so that our mutual desire to improve the education of all our children can be made a reality.

Sincerely,

S. P. MARLAND, Jr.
U.S. Commissioner of Education.

Enclosure.

EDUCATIONAL RENEWAL SITES

1. *Existing Programs and Projects.*—The Office of Education has made some moral commitments to school districts under existing legislation to fund certain programs (e.g., Career Opportunities Program and Urban/Rural Program under EPDA) for several years. These commitments are subject to the usual understanding that Congress must appropriate sufficient funds for such programs each year and that the local school district must continue to carry out the program according to the legislative intent.

All such commitments will be honored. School districts to which the Office has made such a commitment of funds extending through and beyond Fiscal Year 1973 will have two options: (1) they may continue existing projects as part of the more comprehensive renewal site approach; or (2) they may continue these existing projects as separate programs and not have them become part of the new site approach. In no instance will there be any arbitrary termination of an existing project.

2. *Funding Authorizations*—All funds appropriated for the separate OE programs that will be administered as part of the educational renewal site strategy will be spent for the purposes for which they were appropriated. Thus, for example, whatever amount of money is appropriated by the Congress for the Bilingual Education programs authorized by Title VII of the Elementary and Secondary Education Act will be spent for such programs.

3. *State Educational Agencies*—Under existing legislation, State educational agencies have a variety of roles to play in the programs to be administered under the educational renewal site strategy.

Under the Bilingual Education Act (Title VII of ESEA) and Title III, (i.e., the fifteen percent administered by the Commissioner under Section 306 of ESEA) applications cannot be approved by the Commissioner unless they have been submitted to the appropriate State educational agency for comments and recommendations.

Dropout Prevention projects must be approved by the appropriate State educational agency (Section 807 of ESEA).

Part D of EPDA requires consultation with State educational agencies to satisfy the State agency that the program or project will be coordinated with programs carried on under Part B of EPDA (see Section 531 (a)).

Accordingly, State educational agencies will be requested, in all instances, for their nominations for educational renewal sites and for their comments and recommendations on the programs of possible sites. Since the ultimate responsibility for approving sites and programs rests with the Commissioner of Education, it is possible that some sites, in unusual circumstances, may be selected which have not been nominated by a State agency. Even in those circumstances, however, the projects will be subject to State educational agency comment or approval wherever the applicable statute requires such comment or approval.

4. *Accounting for Funds*—Existing legislation requires such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant. This requirement will be met in at least two ways:

1. OE will keep track of what amount of funds from each categorical program go to each renewal site. In a hypothetical case, a $100,000 grant to an LEA might consist of $25,000 from funds appropriated for Bilingual Education, $25,000 from section 306 of Title III funds, $25,000 from Dropout Prevention funds, and $25,000 from Part D of EPDA funds. This breakdown, of course, would depend upon the nature of the funded activities, as determined by OE.

2. Each site will have to adhere to customary Federal accounting procedures. Specific items of expenditures will be attributed to funds coming from specific categorical programs.

5. *Regulations and Guidelines*—The regulations and guidelines for the several programs to be administered under the educational renewal site strategy will be combined into a single set. The unified regulations and guidelines will contain all the specific requirements that the separate authorizing acts mandate, e.g., that Federal funds supplement, and not supplant, State and local funds (Section 304(a)(3) of Title III of ESEA); that programs be of a size and scope that will make a substantial step toward achieving the purposes of the legislation (Section 705(a)(3) of Title VII of ESEA); that effective procedures be adopted for evaluating the effectiveness of programs (Section 807(b)(3) of Title VIII of ESEA); etc.

6. *Reports and Evaluations*—All educational renewal sites will have to meet current legislative requirements for annual reports. All will be subject to an evaluation of results. But grantees will submit a single report (not four or five separate ones on each categorical program) and a single evaluation of the site's comprehensive program.

7. *Advisory Council*—Existing legislation provides for the following Advisory Councils in connection with the programs involved in the renewal site strategy.

A National Advisory Council on Supplementary Centers and Services (Section 309 of Title III of ESEA).

An Advisory Committee on the Education of Bilingual Children (Section 708 of Title VII of ESEA).

A National Advisory Council on Education Professions Development (Section 502 of Title V of the Higher Education Act).

All these Councils will be expected to give advice on the general renewal site strategy and the relation of their particular programs to it. All will continue to fulfill any other statutory obligation, e.g., the Title III Council submits an annual report to the President and the Congress, the Bilingual Council develops criteria for the approval of applications, etc.

8. *Eligible Applicants*—A variety of agencies are now eligible for Federal funds under the programs involved in the educational renewal site strategy: local educational agencies (all programs); institutions of higher education which may apply jointly with a local educational agency under the Bilingual Education Act; institutions of higher education and State educational agencies under Part D of EPDA; nonprofit institutions or organizations of Indian tribes under Section 706(a) of the Bilingual Education Act; and the Secretary of the Interior for Indian schools under Section 706(b) of the Bilingual Education Act.

All these agencies will continue to be eligible to apply for funds under the educational renewal site strategy. Although priority will be given to applications reflecting the renewal site approach, some applicants unable to meet the comprehensive requirements of this approach will also receive assistance.

JANUARY 27, 1972.

The Honorable CLAIBORNE PELL,
Chairman, Subcommittee on Education,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: Commissioner Marland has sent me a copy of his letter to you of December 3, responding to your inquiry about the proposed Educational Renewal program. I am glad you are asking these pertinent questions, though I am not reassured by the Commissioner's response. Indeed, the correspondence raises additional questions which I believe deserve discussion by the Subcommittee.

I am particularly concerned about Title VII of the Elementary and Secondary Education Act, the Bilingual Education title. As you know, this program is of major importance to California. This Congressionally-mandated, single-purpose program has made a splendid start. However, it is nowhere near achieving its goal. In fact, the recent report of the U.S. Commission on Civil Rights, reviewing Mexican-American education, indicates that we need a much higher priority for bilingual-bicultural education in the Southwest and across the nation.

We must step up both funding and staffing for Title VII. Its consultant roster should be expanded. Successes and failures need more thorough documentation and analysis. Dissemination programs—for curriculum development, research, and public information—must be strengthened and broadened. These items, and more, must have greater attention if we are to meet our firm commitment to gaining educational equity for bilingual-bicultural children.

Achieving these objectives demands increased visibility for Title VII. We need steady oversight by the Congress to match words with action. I am not yet persuaded that either of these needs will be met under the Renewal program.

In the past, program consolidation has too often led to sacrifice of program integrity and dilution of effort, along with staff reduction and administrative budget cuts. The Teacher Corps is a case in point. Just last year, the Committee was forced to rescue it by legislating its independence from other Office of Education programs. From the Corps' beginning in 1965, the Committee had feared that competition with other education programs would eclipse the Corps and compromise its mission. In 1971, seeing the Corps receive less and less attention and focus within the Office, the Committee—in its report on the Higher Education Amendments—observed that the Corps staff had been cut from 75 to 37 permanent slots and its administrative budget had dropped from $385,111 to $97,000.

We have no guarantees that a similar fate will not await bilingual education under the Renewal strategy, resulting in an impairment at a most critical time. We must not allow this to happen.

There is another serious issue involved in the Renewal strategy. The program consolidates several of the Office of Education's most important categorical programs, including Environmental Education, Drug Abuse Education, Dropout Prevention, and Follow Through. I feel that a reorganization of this magnitude is a matter upon which the Congress should be consulted, not instructed. This transfer and merger of programs within the Office suggests the need for enabling legislation, yet no such legislation has been asked. The plan also reprograms funds, although the Senate Labor-HEW Appropriations Subcommittee must approve such reprogramming. It has not. These issues should not be ignored.

I am further concerned about the resemblance of the Reneal program to the President's plan for education revenue sharing. As you know, the Subcommittee has this plan under consideration. Hearings are not complete. We have not reported the bill. Both the National Education Association and the American Federation of Teachers, among others, oppose it in its present form. Yet, Commissioner Marland—writing in the January 10 edition of *The New York Times*, calls the Renewal program "a packaging process similar to the education revenue-sharing bill President Nixon has proposed as a means for the more efficient and effective delivery of formula grant funds to the states."

While I appreciate the Commissioner's candor, I am disturbed by the implication of his statement.

Mr. Chairman, I urge you to continue pressing for a better, clearer explanation of the Renewal strategy and its effects on existing programs than we have so far received. I know that every member of the Subcommittee commends Commissioner Marland for his commitment to educational reform and will work diligently with him to achieve it. The Congress and the Executive, however, are partners in the important work of education. Congressional silence on this issue will amount to acquiesance to a program that needs full discussion.

With best regards,

Sincerely,

ALAN CRANSTON.

JANUARY 27, 1972.

Dr. S. P. MARLAND, Jr.
U.S. Commissioner of Education,
U.S. Office of Education,
Washington, D.C.

DEAR COMMISSIONER: Thank you for your letter of December 8 enclosing the letter and memorandum to Senate Pell regarding the Educational Renewal program.

As you know, Section 707(b) of the Bilingual Education Act stipulates that the "Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder." I would appreciate knowing what the Council's comments and recommendations were with respect to including bilingual education in the Renewal program.

I am attaching a letter I have sent to Chairman Pell setting forth some general concerns I have about your proposal. I would appreciate any comments you might have.

Sincerely,

ALAN CRANSTON.

Enclosure.
cc: Honorable Claiborne Pell.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF EDUCATION,
Washington, D.C., February 17, 1972.

Hon. ALAN CRANSTON,
U.S. Senate, Washington, D.C.

DEAR SENATOR CRANSTON: Thank you for your letter of January 27 regarding the relationship of the Bilingual Education program to our proposed Educational Renewal Sites.

The Bilingual Education program authorized by Title VII of the Elementary and Secondary Education Act is not an integral approach. Local school districts will decide whether to include this program as part of a comprehensive Renewal Site. No district will be forced to do so.

I have enclosed for your information, copies of two letters (dated January 7 and February 10) I have sent to Senator Pell about Renewal Sites. Senator Pell's incoming letters are also enclosed. I believe they will clarify many of the points raised in your January 27 letter to Senator Pell which you enclosed with your letter to me.

We have not yet had an opportunity to consult with the Advisory Committee for the Education of Bilingual Children on this matter. Title VII establishes a 15-member committee; only three members have been appointed so far. Accordingly, there is no effective Advisory Committee yet in being. However, as noted earlier, I believe any possible misunderstanding as to the relationship between Title VII and the Renewal Site approach has now been resolved. We will, of course, bring this matter to the attention of the full Advisory Committee when all members have been selected.

Sincerely,

S. P. MARLAND, Jr.,
U.S. Commissioner of Education.

FEBRUARY 10, 1972.

Hon. CLAIBORNE PELL,
Chairman, Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR PELL: Thank you for your letter of January 27 expressing your concern with the plans of the Office of Education for carrying out an educational renewal strategy, as reflected in our prior correspondence and in the President's Budget request for Fiscal Year 1973.

I agree that it is highly unfortunate that confusion continues concerning our renewal plans. Perhaps much of the confusion arises because the Office of Education has used the term "renewal" to refer to several different things. The term has been used in at least four different contexts:

1. *The effort I am making to instill in all appropriate OE activities a sense of the need actively to assist local schools to serve their students in a more effective manner. In this sense, the term can encompass everything the* Office does.

2. *The Educational Renewal appropriation.* As you know, for purposes of budget presentation, the Office of Education's programs are grouped in several appropriations. One of these appropriations for Fiscal Year 1973 is called "Educational Renewal." This appropriation contains most of the Office's discretionary programs at the elementary and secondary level—only a limited number of which would be involved in Educational Renewal Sites. Our earlier discussions concerning renewal have been limited to our plans for such sites.

Most of the programs included in the "Educational Renewal" appropriation are *not* a part of the "educational renewal site" approach. They are administered by various Deputy Commissioners. The appropriation also includes for Fiscal Year 1973 some programs which we propose would be administered by the National Institute of Education, if Congress should create that agency. For your information, I am enclosing a list of all programs included under the "Educational Renewal" appropriation and their placement within the Office.

3. *The Deputy Commissioner for Renewal.* One of my Deputies, Don Davies, has this title. He is responsible for the administration of several OE programs, such as the statistics program, educational technology (e.g. Sesame Street), and other programs, which are unrelated to educational renewal site activities. He also administers those programs which will form the basis for educational renewal sites.

4. *Educational Renewal Sites.* As noted in my earlier letters, the educational renewal site concept is a new approach to using some of the funds authorized under existing legislation. The Appendix to the Budget shows an item for "Site personnel development," drawing funds from Part D of the Education Professions Development Act. Some of these funds may be used in Fiscal Year 1973 for educational renewal sites. Added to these funds will be funds from the discretionary portion of Title III of the Elementary and Secondary Education Act and from the Cooperative Research Act, as I stated in my letter to you of January 7. No other programs will form the basic funding of Educational Renewal Sites.

If a school district is receiving funds under another Federal program—Bilingual Education, Drug Abuse Education, Dropout Prevention, or Vocational Education Research, for example—it will be free to include such programs in the activities conducted at the Educational Renewal Site. Such a decision would be soley that of the school district receiving the funds. As the Appendix to the Budget states, "local school districts *will be able* to submit a single application for a comprehensive grant." [Emphasis added.] No school district will be *required* to do so, and no preference to these programs will be given to a district that chooses to submit a comprehensive application. All programs listed in the Appendix under the heading of "Education Renewal," except for those included in "Site personnel development," will continue to be administered as discrete entities, pursuant to the terms of their authorizing legislation. Further, several other programs included within the "Site personnel development" appropriation will also continue to be funded as discrete entities since they involve the continuation of existing OE commitments to grantees. These include the Career Opportunities and Urban Rural programs.

Since each local school district will be undertaking educational renewal in areas of its greatest need, I cannot enumerate all the activities which might be undertaken in a renewal site. However, I am enclosing a paper which discusses activities appropriate to an educational renewal site which should serve to illustrate how a sample site might work.

In a more perfect world, our use of terminology might be less confusing. However, I hope that I have been able to clarify that "educational renewal sites" are one piece of a much larger effort and are by no means equivalent either to the Educational Renewal

appropriation or to the jurisdiction of the Deputy Commissioner for Renewal.

Your letter also expresses concern that the Renewal Site approach will be conducted without adequate regulations or guidelines. Let me assure you that we fully intend to develop regulations and guidelines for this approach, reflecting the various provisions of the three underlying legislative authorities, before the Renewal Site program is begun in Fiscal Year 1973. I agree with you that local educational agencies seeking Federal assistance for educational renewal sites must have comprehensive guidelines in order to enable them to prepare their applications and conduct their activities according to the law and Congressional intent.

I would like to reiterate that the Office of Education is *not* establishing a new program called "educational renewal sites." The renewal site approach is a *process*, not a *program*. We are asking States and local school districts if they would wish to use funds authorized under existing programs in accordance with the purposes of that legislation, but concentrated in some small number of schools within a school district, through a step-by-step process of assessing needs, determining programs to meet those needs, and involving the parents, teachers, and community in the process. The renewal site approach is intended to be a more effective way of using resources, not a new program.

Finally, your letter inquires about the final disposition of the bilingual education program. The Bilingual Education Program will be elevated to the status of a Division. This will be the first time that the program has achieved Division status since its enactment. I would like to assure you that its integrity will be preserved in the new organizational structure. Indeed, the change should enhance the program's stature in the country, reflecting the high priority the Office of Education places on bilingual education.

I hope that this letter has been responsive to your concerns about our plans for Educational Renewal. I feel that it is important to maintain a dialogue about our plans, as they develop. If you have any further concerns or questions, please feel free to call on me.

Sincerely,

S. P. MARLAND, Jr.,
U.S. Commissioner of Education.

CURRENT LOCATION OF ACTIVITIES INCLUDED IN EDUCATIONAL APPROPRIATION

Part D, EPDA, Deputy Comm. for Renewal.

Bilingual Education, Deputy Comm. for Renewal.

Dropout Prevention, Deputy Comm. for Renewal.

Personnel Development, Deputy Comm. for Renewal.

Follow Through, Deputy Comm. for School Systems.

Educational Technology, Deputy Comm. for Renewal.

Drug Abuse Education, Deputy Comm. for Renewal.

Right to Read, Exec. Deputy Commissioner.

Career Education Model, Deputy Comm. for Renewal.

Environmental Education, Deputy Comm. for Renewal.

Library Demonstrations, Deputy Comm. for Higher Educ.

Other Priority Programs, Deputy Comm. for Renewal.

Data Systems Improvement, Deputy Comm. for Renewal.

Product Identification and Dissemination, Deputy Comm. for Renewal.

Planning and Evaluation, Deputy Comm. for Management.

THE EDUCATIONAL RENEWAL SITE

A BRIEF DESCRIPTION

This a brief description, for illustrative purposes, of an Educational Renewal Site under the proposed renewal strategy of the Office of Education. It has three sections: (1) a description of the organization of the Education Renewal Site, (2) a description of possible functional and program components and activities at the Site, and (3) a statement about the process of renewal.

ORGANIZATION

The Educational Renewal Site will normally be selected as a grantee by the Office of Education from among nominations made by its State Education Agency, and will be comprised of a cluster of schools (elementary, junior and senior high) varying in number from approximately 8 to 20 according to the characteristics of the communities served. It could be a portion of a large urban school district, an entire rural town, or several rural villages combined. The number of pupils involved could vary similarly. In order to merit selection the Site will have to meet certain criteria of need, readiness, low-income, etc., established by the Office of Education and the State education agencies in accordance with enabling legislation.

The Site will have an Educational Renewal Council which shall provide project direction, including needs assessment, planning, and project implementation and evaluation, within the framework of existing State and local school board regulations. The Council will be created by the local school board, and will be representative of the school community, including, for example, the staff of participating schools and universities, parents of the community served by the participating schools and other appropriate segments of the school district. Final authority and responsibility for the operation of the project funded rests with the local school board.

FUNCTIONAL ELEMENTS

Fundamental to the Site's activities and effectiveness will be a comprehensive assessment of the needs of students and the educational personnel that serve them, a determination of available resources and priorities—local, State, and Federal—and the development of a comprehensive plan to meet those needs.

As determined by the local assessment of need, there may be a center at the Site serving as a primary resource for educational personnel in the Site schools. In a location separate from the schools, but within or near the Site, it could serve as a mobilization point for technical assistance, training and retraining, evaluation expertise, dissemination of information about products of research and development, and other resources needed to meet the needs of the schools. In any case, the center would be administered by the Site director under the Educational Renewal Site Council.

The kinds of activities at an Educational Renewal Site will be determined by its assessment and continuous reassessment of need, and by its Educational Renewal Site Council's growing awareness of the reasons their schools are not fully effective. The Council will have access to extensive resources for orienting itself to educational issues.

Program components for pupils and appropriate training for teachers and others may vary greatly from Site to Site. The Educational Renewal Site Council may make use of colleges and universities to help with training, which will usually be conducted in the Site schools. The Educational Renewal Site Council may also call upon business, industry and other community agencies for help. The Site schools may be utilized as preservice training centers for prospective teachers and paraprofessionals. All Office of Education renewal site funds will be used for developmental purposes rather than to increase permanent per pupil expenditures. OE renewal funds will be phased out after a period of approximately five years, as negotiated with the school board. Among others, these program components might be supported:

Orientation of parents to the 24-hour nature of education, and the extension of the schooling process to the homes.

Maintaining 10-hour daily open schools as learning and social centers for parents and pupils alike.

Extensive use of parents as visitors and paraprofessionals in the schools.

Emphasis on reading: high school pupils teaching elementary school pupils, etc.

Capability for meeting needs of "exceptional" children, particularly those who have learning disabilities.

THE PROCESS OF RENEWAL

Renewal is viewed as a continuous self-sustaining process of educational change and decision-making to cope with unsatisfactory as well as constantly changing conditions in the schools. Its ultimate objective is to provide in the Educational Renewal Site schools—and later spread throughout each State—education which is responsive to the needs of the pupils and which reflects the concerns of their parents. It should improve significantly the school performance of those children.

What goes on at an Educational Renewal Site will be different from what has been done heretofore with Office of Education monies, for these reasons:

By concentrating Federal, State, local and private resources, it will simplify the process and lessen duplication and fragmentation of efforts.

By involving the States at every point in the process, the likelihood of combining other resources with those available from the Office for Development and the likelihood of spreading renewal throughout the State are greatly increased.

By restricting the effort to a limited number of schools in a large urban district, for example, and by utilizing an Educational Renewal Site Council which strongly represents that particular area, it will be possible to build and increase the sense of community at the Educational Renewal Site and draw on the parents, and others for their share of the task of educating their children.

U.S. SENATE,
Washington, D.C., January 27, 1972.

Hon. SIDNEY P. MARLAND, Jr.,
U.S. Commissioner of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. COMMISSIONER: Thank you for your letter of January 7 relating to education renewal sites. I am most appreciative of the dialogue which we have been able to create on this subject. I had hoped that we could have resolved the problems raised by the education renewal site program by communications between the Office of Education and the Education Subcommittee. However, your letter of the 7th, and more importantly, the recently submitted budget raise further questions which work against the resolution of the issues.

In your letter dated January 7, you have indicated a scaled-down proposal. However, that letter does not deal with the final disposition of the bilingual education program, nor with the fundamental question of activities for which Federal funds will be spent. The submitted budget lists certain programs under "education renewal" about which no mention has previously been made. In addition, the appropriateness of initiating a program without legislation or regulations or guidelines is subject to questions of a scope

which I, as Chairman of the Education Subcommittee, cannot pass upon without consultation with my fellow Senators and with our colleagues in the House of Representatives.

Therefore, I would hope that you would defer any further action in implementing this proposal until such time as this confusion may be properly disposed of. My staff informs me that the Department has indicated a desire to circulate your letter dated January 7 as evidence of a resolution of any differences which may have arisen. You may circulate that letter with this response. However, I would think that it would be appropriate to include as well all previous letters and communications on the subject in order that further confusion may be avoided.

Thank you very much for your consideration.

Ever sincerely,

CLAIBORNE PELL.

MAJOR RENEWAL PROGRAM STRATEGY*

The Office of Education has launched a new strategy for educational reform which rests upon two cornerstones—a reform philosophy which addresses problems rather than mounts programs and a management rationale which eliminates duplication and fragmentation.

1. The goals:

The three primary goals of this strategy are:

1. To significantly reduce or eliminate the present gaps in achievement that exist between school children in low-income and rural communities and those in more affluent communities.

2. To demonstrate a process of educational change and decisionmaking which creates a self-sustaining reform mechanism throughout the educational system.

3. To establish an educational communication system that provides rapid linkage between students with educational needs and policymakers, service agencies, and research institutions that serve education.

To reach these goals, the objectives for the immediate years are:

1. to focus the major resources of Office of Education discretionary programs in a coordinated, comprehensive, and concentrated fashion in those communities where the educational needs are the greatest.

2. To accelerate the installation and maintenance of promising educational products and practices in school through a new network of educational extension agents.

2. History:

This renewal strategy is not an abrupt shift in direction; it is rather a logical development based on recent experiences of the Bureau of Educational Personnel Development and other Office of Education Programs such as the Career Opportunities Program, Urban Rural School Development Program, and Training of Teacher Trainers (TTT) as a result of their deep involvement in low-income communities, have clearly demonstrated some of the complexities of educational problems: the gap between educational needs and the delivery of services; the inadequacy of the single-focused, isolated program approach; the inability of temporary programs directed from the national level to effect permanent and systematic change. These two programs have attempted to meet the problems of their constituencies by increasing the length of service time and the level of funding. But, of themselves, such programs do not have the resources necessary for lasting and meaningful change.

Simultaneously, several Federal efforts, such as TREND and Model Cities, have tried to address the problems of change and reform through packaging specific community needs. Both the successes and the failures of these efforts contribute to a body of knowledge and experience which can be built upon at this time.

Finally, this strategy for renewal occurs at a time when the probability for success is as high as it has ever been. Education faces a serious crisis of financing and credibility. Institutions and administrators resistant to change in the past are now forced to examine new methods and new alternatives of education. It is the intent of this strategy to lend as much assistance as is possible to resolving this crisis in those areas where the problems are most severe.

Before adopting the present strategy, serious consideration was given to the experience of previous efforts at educational reform. This analysis of the Ford Foundation's efforts, those of the Office of Education and others has revealed several key factors which have led to the failure of those efforts to institute any widespread educational reform. The present renewal strategy attempts to take each of these factors into account and to avoid repeating the same mistakes.

COMPREHENSIVENESS

Most reform efforts in the past have been too narrowly based to affect the educational system within which they took place. A typical project would be an innovative method of teaching reading to elementary school children in a single classroom in each of several schools. This may have improved the ability of those children to read, but there was no follow-up in other classes nor were other teachers and administrators of the system involved in any meaningful way.

The renewal strategy is designed to institute innovation and reform in context; in context with the whole range of educational needs within a system and in context with the resources and experience of the teachers, students and community. This accomplishes two things. It first of all insures that the children will be receiving programs that are built into a total plan which does not stop and start in isolated classrooms or in isolated curricula. Secondly, it involves all the key people who make up the educational decision-making process for that system. The reforms and innovations that are instituted will be instituted for a reason—to assist in the improvement of the educational environment for the children, and everyone will be represented in the process of identifying problems and selecting methods for solving them.

RELEVANCE

Previous reform efforts have been characterized by their focus on an innovator (such as Ford) or an innovation (computer-assisted instruction) rather than a problem (an escalating drop-out rate within a school system). Exciting new programs have been introduced from the top down into a system. Supported by external funds, they have accomplished little more than temporary readjustments—unrelated to the total systematic characteristics of a particular system. When the outside support was withdrawn, the innovative program normally disappeared.

The renewal effort will address this failing by bringing innovations into a system only in response to needs clearly articulated by that system. Innovation thus becomes identified with a process geared toward solving a problem. An innovation is more likely to be accepted and continued if it is part of a coherent problem-solving process than if it is perceived as being the "special program" of the Office of Education.

COORDINATION

Too often in the past, reform efforts have occurred with little or no interaction or coordination with other reform efforts. Not only have States, Ford, Carnegie, GE, and others carried out unrelated reform programs, but within the Federal government innovations, demonstrations, and reform efforts have been fragmented. This methodology, or lack of it, leads to redundancy, overlap and repetition, wasting time and effort, and accomplishing little.

Starting at home, the renewal strategy attempts to insure closer coordination of the reform efforts through the consolidation of most of the Office's discretionary programs to be managed and administered by the Deputy Commissioner for Development according to this strategy. Furthermore, the renewal process will identify and coordinate with other innovative programs to make this an incremental and supportive effort rather than a redundant one. Finally, when the Office of Education extends assistance to disadvantaged children it can now do so with a more effective mechanism designed to bring the best available assistance from all of its resources.

CONCENTRATION

Given the complexity of the renewal task at any particular site, reform efforts designed to solve a single part of that problem at each of many scattered locations is not sufficient nor is it necessarily functional. Unless substantive progress is made toward improving the education of the kids for whom the legislation is really passed, there is no return on the investment being made by diverse, scattered, uncoordinated programs. Under the renewal strategy, the small amount of discretionary money available will not only be coordinated, it will be utilized in a concentrated fashion on those school systems whose children are in greatest need of improved learning opportunities. This allows the effort to be large enough and broad enough to actually make an impact. Furthermore, such concentrations will allow better, more conclusive monitoring both in terms of fiscal responsibilities and in terms of the process of educational change.

FEEDBACK

Finally, reform has progressed slowly because there has not been any effective mechanism to feed the results back to the researchers and policy-makers in such a form as to be meaningful enough to act upon. The success or failure of a single project, in a single school, at a particular moment in time does not tell us very much about whether that experience could or could not be repeated in another school, at a different time and with a few variations. Most reform efforts have given us data regarding an isolated reform attempt—this strategy will provide us documentation about the process of reform and about the mobilizing of resources to bring systemic change geared toward solving educational problems.

This renewal strategy and organization is designed to provide the action linkage between Revenue Sharing and the National Institute of Education. Fully developed, it is that mechanism that can deliver, in a responsive, effective manner, the products and practices developed in NIE in a way that institutionalizes a process within the educational framework and accelerates the delivery of those products to the places they are most needed. The money distributed by Revenue Sharing will only be effective in terms of resolving the educational needs of children if there is an effective method of bringing better practices into the classroom. NIE can develop these, OE, through the renewal effort, can get them installed.

3. Process:

There are 2 critical new concepts in this strategy as it is manifested operationally: the Renewal Sites (plus Educational Resource Center-Teacher Centers), the Education Extension Agent. Each is new, but has resulted from a long gestation period, and each contributes to the overall strategy.

THE RENEWAL SITE

The renewal site will be primary focus of the renewal strategy. As such it will be the grantee for a single comprehensive five-year

*Paper prepared for OMB, November 1971.

grant based upon a plan designed to meet that site's educational priorities. A "site" would be a part of a local school system that would typically average 10 schools (K–12), and about 5,000 children and might be a total system or a part of a system.

The process of selecting the site is part of the strategy in that it involves and articulation by the Regions and the States of those systems within their jurisdiction most in need of assistance. Having identified them, a planning grant is used to produce an up-to-date, comprehensive educational needs assessment for the site. Again, this design impacts the strategy for it requires two major inputs:

1. An identification of all resources presently available to that site and what they are being used for.

2. The equal participation of teachers, community, university and administrators in the articulation of the needs.

The first step will produce a clear picture of that system's resources and needs as well as the beginning (or continuation) of a participatory dialogue among those elements who in fact make up the decision-making process for that system.

The second step is the designing of a five-year plan addressed to meeting the needs that have been identified. With State and Federal help this plan will be substantive in nature and designed in terms of problems to be solved. The dollars to meet the needs of the plan will be supplemented by a five-year phased input of approximately $3 million of "glue" money. Discretionary support will be totally phased out after the fifth year leaving the site to continue funding the process from its other resources.

The plan will form the basis for a single grant from OE. The money, materials, technical assistance, training, etc., will be drawn from merged programs at the Federal level. This administrative step, previously necessary at the local level for comprehensive funding, will not be accomplished administratively in OE, relieving the field of that impossible task (only one school district, Louisville, has ever been able to begin to wade through the morass of Program by Program guidelines, requirements, funding cycles, etc., on its own).

Having had its plan accepted, the site's first responsibility is to fund an Educational Resources Center (Teacher Center) for the purpose of coordinating the input of materials, assistance, training, ideas, etc., from OE and from others. Each site must have such a Center. This will be a place outside of the schools and will be the point of contact between and among teachers, administrators, consultants, information, materials, etc. Here, depending upon the need structure, will reside one or more experts representing Right to Read, Bilingual Education, Staff Development, etc., as well as an Educational Extension Agent. Administered by a small staff, it will provide space and facilities for training, lectures, information retrieval, etc. As the five-year plan progresses, the Center will increase its store of resources and its ability to identify various forms of community resources available to assist the site in its problems.

What is it, then, we have bought at a site of about 10 schools serving 5,000 disadvantaged youngsters for $3 million after 5 years?

1. For those children, a significant increase in the average achievement and a significant increase in their attitudinal response toward education and school.

2. For those children, a significant decrease in any previous achievement gap between them and surrounding middle-class schools.

3. For those children and teachers, substantial involvement with some of the newest and most promising educational innovations.

4. For those teachers and that system, a new process for addressing themselves and their resources to their educational needs.

5. For that community, a new sense of confidence regarding their schools and their ability to assist in the educational process.

6. For that local system and that State, a five-year involvement in a process designed to better manage their resources in response to educational needs.

7. For the Federal Government, incremental data and analysis of the process and prospects of educational reform.

4. The Educational Extension Agent:

The Educational Extension Agent is a concept derived from the present understanding of innovation and reform. Experience has demonstrated that unless a responsible individual has personal knowledge of or contact with an innovation, there is little probability that he will be motivated to adopt that innovation. The written word is not a strong enough catalyst to achieve widespread adoption of an innovation, regardless of the strength of the words. Previous OE efforts at dissemination of education products and practices known to be superior to existing prevalent methods, have been ineffective because of reliance on the printed word, a film strip, a print-out, etc. The Education Extension Agent is designed to be the missing link. Housed at a Teacher Center in a Renewal Site, he will cover other schools in the area on a face-to-face basis. He will listen to problems and will perform two-way translation services between the constituent and the information base. He can discuss innovations on a personal level, can generate interest, and most importantly, can follow-up on that interest by supplying materials, experts, etc., to the interested party.

Finally, he can provide feedback on obstacles and aids to adoption and those contribute to a better understanding of that process.

At the outset, this extension agent will be funded by the Federal Government in order that his value can be proven to the systems he serves and to allow sufficient testing of the basic models regarding type of candidate, reporting and control procedures and territory size. It is anticipated that the agents would eventually be supported by one-third Federal money, one-third State and one-third local. This is consistent with the long-standing Agricultural model and appears reasonable at this time. The number of agents cannot yet be absolutely defined due to the many variables which must be analyzed but we expect to have at least one per renewal site (State and local). We would also expect to continue a one-third funding role beyond the time of renewal site activities.

The concepts embodied in the renewal strategy are not yet fully field-tested. Various aspects of the various elements within the plan will require careful evaluation and adjustment before absolute judgment can be made about them. At this point in time, they reflect an intention to use our resources, our experience and our knowledge in the most effective manner possible in order to improve the educational opportunities for disadvantaged children.

FY 1972 will be devoted toward the work and planning necessary to enter FY 1973 with as sound a process as is possible. That work has begun both in terms of the conceptual aspects of the strategy as well as the operational mechanics of grants consolidation, site selection procedures, guideline development, etc. By the end of FY 1973, we intend to have begun this process in at least 200 sites by building upon the programs that are already operational in them.

STATE OF CALIFORNIA,
DEPARTMENT OF EDUCATION,
Sacramento, Calif., December 23, 1971.

The Honorable ALAN CRANSTON,
U.S. Senate,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR CRANSTON: At its meeting on December 21, 1971, the California Educational Innovation Advisory Commission, ESEA Title III, unanimously approved the attached resolution and instructed me to forward a copy to you.

In essence the Commission urges maintenance of the integrity of the Title III funding in support of a separate and identifiable program for the promotion of innovation in education.

We respectfully request careful consideration of our position on this issue.

Sincerely,

LLOYD N. MORRISETT,
Chairman, Educational Innovation Advisory Commission, Title III, ESEA.

Attachment.

STATE OF CALIFORNIA,
DEPARTMENT OF EDUCATION,
Sacramento, Calif., December 12, 1971.

RESOLUTION

On October 14, 1971, the U.S. Commissioner of Education announced his intention to transfer his ESEA Title III 15 percent discretionary funds from the Bureau of Elementary and Secondary Education to the new Office for Development. The effective date of this transaction was set in the Commissioner's bulletin as October 27, 1971.

The effect of this action is the reallocation of the Commissioner's 15 percent of the ESEA Title III appropriations to a new and separate agency different from the bureau responsible for over-all management of the Title III program.

The California Educational Innovation Advisory Commission vigorously opposes the transfer of ESEA Title III funds to the U.S. O.E. Office of Development for the following reasons:

1. The reassignment of a portion of Title III funds to the Office of Development violates the intent and language of the Elementary and Secondary Education Act of 1965 as amended.

2. The action by-passes the Congress by re-routing funds appropriated for other purposes. The Office of Education plan to set up and fund an Office of Development should have been presented to Congress through regular legislative channels. It should be established only after favorable action of Congress in respect to principle and funding. Any administrative action of this nature that by-passes Congress is contrary to the public interest.

3. The action will weaken the Title III program by siphoning off funds for other purposes.

4. It fragments control and will predictably result in a loss of coordination of the Title III effort.

5. It effectively eliminates local participation in the design, development, and operation of innovative ESEA Title III projects funded by the Commissioner's 15 percent of the appropriations.

6. The effectiveness of the state and national Advisory Councils has been seriously eroded by the failure of the U.S. Office of Education to involve these agencies in the planning, funding, and establishment of the Office of Development.

For the foregoing reasons, the California Educational Innovation Advisory Commission recommends that the Commissioner of Education rescind his order transferring ESEA Title III funds to the Office of Devel-

opment. It further orders that copies of this resolution be forwarded to the Commissioner, to the Secretary of Health, Education and Welfare, to the chairmen of the House and Senate Committees on Education, and to the members of the California Congressional delegation.

DECEMBER 15, 1971.

Hon. ALAN CRANSTON,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CRANSTON: In 1967 the legislature enacted into law what was to become a milestone in American educational history—the Bilingual Education Act, Title VII, ESEA. This act would provide communities across the country the opportunity to receive education while they learned their second language, English. Monies have just begun to be allocated to school districts across the nation to implement the noble goal of bilingual bicultural education in an effort to preserve the many national tongues spoken in the United States. Language as a national resource has only just begun to be tapped.

Will the efforts and aspirations of hundreds of educators, legislators and other interested citizens be drained and weakened by a new consolidation plan entitled "Renewal Centers"? The program under consideration at present and headed by Dr. Don Davies proposes to consolidate all discretionary funds under one department and would include Title III, Title VII, Title VIII, and NDEA. This program is presently only in a planning phase and dissemination about it has just begun as Dr. Davies and his staff meet with Project Directors across the country.

It is my contention that this consolidation plan for Renewal Centers provides no guarantees for the preservation of Title VII funding. Unfortunately, bilingual education does not head the priorities lists of many people's books. The Bilingual Education Act was passed through a long fight involving years of hard work on the part of key legislators and educators. When all of these funds are lumped together into one basket, would it not stand to reason, that monies formerly allocated to bilingual education might be diffused into other less necessary programs which do not specifically implement a bilingual-bicultural approach? Holding a specific title certainly does not guarantee appropriation of funds for that program, but it does provide a designated program to be implemented. Specific objectives have been required of bilingual programs under Title VII and it has been one of the most heavily evaluated programs in governmental history. To amalgamate it, without any indication of what is going to happen to bilingual education, is unreasonable.

A plan for consolidation in itself is not at fault. Certainly, one sees reasons for attempts to reduce governmental bureaucracy. The idea of training centers for teachers functioning as integral parts of these "Renewal Centers" is sound. My question is: what are the guarantees that these Renewal Centers will be focused for the most part around bilingual bicultural education?

For those of us who are intimately involved in bilingual education, there is the danger that we may well lose to bureaucratic expediency, the dream of educating our youth in two languages.

This dream is not just the dream of project directors but of many citizens as well. It is most urgent that all of us including the bilingual offices at the state level throughout the nation, become actively involved in this planning phase and that we as a group be work together to seek the answers to these basic questions which may have such a great impact on the future of bilingual education. Certainly where a state office of bilingual education exists, these offices should be empowered with appropriate funding to make the state organization an effective cooperating agency with the USOE for the implementation of bilingual education programs. As a group, I do not think our opinions have been solicited or our involvement been achieved. Indeed, so vague is the Renewal Center plan, we all may well be caught by surprise when it is implemented while we are caught unawares.

Since you represent people who are concerned about bilingual education, I think this plan should be carefully investigated to assure all involved that planning will be done with state and local agencies and that in the event Title VII is amalgamated, explicit assurances will be made to determine extent of funding for bilingual education.

As a concerned educator, I urge you to seek out information about the proposed "Renewal Centers" as it is quite possible that a rose by any other name may not smell as sweet and indeed that as time goes by bilingual education may be plucked out of the educational bouquet altogether. It is my humble opinion that Title VII as a unique national program should remain an entity unto itself with specific designated funding so that monies are not diffused into other categories that masquerade as bilingual-bicultural education.

Yours sincerely,

FRANCES VARGAS,
Bilingual Program Director,
Del Valle I.S.D.

NATIONAL SCHOOL BOARDS ASSOCIATION,
Washington, D.C., February 25, 1972.

Hon. ALAN CRANSTON,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR CRANSTON: Your office made an inquiry about the NSBA's position with respect to the new Office of Education concept of Education Renewal Centers.

We applaud the idea that local school districts would be given the opportunity to develop their own training and retraining programs in such a way that it is responsive to the needs of the community. All too often in the past, teachers and administrative staff attended classes or seminars in a university setting miles away both in a physical sense and a philosophical sense. Our support of the concept, however, is not without some real and strong concerns. They are as follows:

1. We view with alarm any effort which would subvert the operation of valuable ongoing programs. The President's budget request for 1973 indicates the Bilingual Program will be placed under the renewal concept. This raises questions that perhaps some of our minorities, especially the Spanish speaking children, may end up losing both their identity and special funding. We have similar concerns with respect to the Dropout Prevention Program and the operation of the Teacher Corps.

2. In a similar vein, we are concerned that OE effort is but another fanfare at the national level which will raise expectations and not succeed in developing solutions to educational problems. It is evident that there is very little if any new money in the renewal program, but it is being funded out of existing monies. That being the case, a local school district would find itself just switching between programs (i.e., existing ones to renewal with no new money).

3. Federal legislation on education is not a minuet. While form is important one must look to the substance. Therefore, the federal government should not be able to proceed in an indirect fashion in a manner which has been forbidden directly. With this preamble, may I turn to Title III of the Elementary and Secondary Education Act. In 1965, the Elementary and Secondary Education Act was enacted with five basic titles. Title III authorized federal support for supplementary centers and services. Educational renewal centers could easily fit into the definition of an eligible application under the original Title III. In 1965, Title III was administered exclusively and directly by the U.S. Commissioner of Education—a concept which was justified in part on the basis that state departments of education had not been strengthened enough to operate this highly innovative concept. However, this procedure raised many problems with respect to our cherished concepts of federalism and local control of education because it set up a direct Washington-to-local school district link. In 1967, the law was changed wherein 85 percent of the money would be administered directly through state plans with 15 percent reserved to the Commissioner of Education. It now appears that the Office of Education may be trying to accomplish indirectly through its renewal concept that which the Congress of the U.S. forbade in 1967.

The link to Title III is becoming more clear because we have already received information from school districts that they will be asked to put a part of their Title III monies as a condition for receiving a renewal site grant.

We view the general Educations Provisions Act, Section 422 (i.e., the prohibition against federal control of education) more than a mere boiler plate, and are concerned that the Office of Education may be trying to control the administration of education at the local level through its renewal centers and renewal agents which it intends to send into the field.

4. Our worries with respect to federal control and inadequate funding are also in part accentuated by the fact that we have not seen new official rules, regulations, etc. published in the Federal Register as required by the Pucinski amendment in P.L. 91-230. A full disclosure by the Office of Education of its specific desires would, I am sure, greatly resolve some of our anxieties.

We hope that the renewal concept can be made viable and ask that you try to assure that this concept is not pushed at the expense of on-going programs or our cherished concept of local control of education which President Nixon strongly defended in his State of the Union Address.

Sincerely,

AUGUST W. STEINHILBER,
Director, Federal and Congressional Relations.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the Senator from California (Mr. TUNNEY), be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. I understand that the Senator from Colorado (Mr. DOMINICK), the ranking minority member of the Education Subcommittee, is presently reading the text of the amendment off the floor. He may have some comments to make. Meanwhile, I am delighted to see that the distinguished chairman of the subcommittee (Mr. PELL), who has handled this bill on the floor so magnificently over such a long period of time, is on his feet seeking recognition.

Mr. PELL. I thank the Senator from California.

Mr. President, I commend the senior Senator from California for bringing this amendment before the Senate. As chairman of the Subcommittee on Education I have been most concerned about the Office of Education's plan to establish so-called education renewal sites—entities not authorized by statute.

The staff of the Subcommittee on Education has at my direction been investi-

gating this subject since last July when rumors began to circulate about a "National Educational Renewal Centers" program. Indeed, both the Committee on Labor and Public Welfare and the House Committee on Education and Labor in their reports on the respective higher education bills were concerned enough about Office of Education activities that they expressed reservations about the legal authority of the Office of Education to conduct "National Educational Renewal Centers."

In spite of the reservations expressed in the two committee reports, the Commissioner of Education continued his plans to begin an educational renewal program and on October 14, 1971, the Office of Education was administratively reorganized to reflect the renewal concept. This reorganization was carried out without consultation with either the House or Senate committees having jurisdiction over the Office of Education, as has been the case in the past. As the result of this action on the part of the Office of Education, I made an inquiry as to the statutory authority of the Commissioner's proposal and ask unanimous consent that my letter of November 3, 1971, be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 3, 1971.

Hon. SIDNEY P. MARLAND,
U.S. Commissioner of Education, Office of Education, Department of Health, Education and Welfare, Washington, D.C.

DEAR MR. COMMISSIONER: The tentative plans of the Office of Education to consolidate certain authorized programs into the so-called NERC proposal has generated much concern throughout the nation and in my own State of Rhode Island.

I understand that you have spoken with the staff of the Subcommittee on Education of the Senate Committee on Labor and Public Welfare. I appreciate your doing so; however, needless to say, consultation does not indicate approval. I would urge you to very seriously consider the steps you may plan to take: first, from the legal question as the whether you have the statutory authority to consolidate the present programs; and, second, the impact of such consolidation upon the successful projects now being carried on in the field. I would appreciate your views on this matter.

Enclosed are two telegrams on this NERC proposal which I have received from individuals in my State.

Ever sincerely,

CLAIBORNE PELL,
Subcommittee on Education.

Mr. PELL. On November 19, 1971, the Commissioner of Education replied, requesting our indulgence for a short period of time before responding to my inquiry of November 3, 1971. I ask unanimous consent that the letter of the Commissioner of Education, dated November 19, 1971, be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., November 19, 1971.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PELL: Thank you for your letter of November 3 requesting information on our plans to consolidate some of the programs which we administer.

I would appreciate your indulgence for a short period of time before I respond to your specific questions on this matter. The matters discussed in your letter are complex, and I have asked appropriate staff members to provide information to be embodied in our reply.

You will be hearing from me in the near future.

Sincerely,

S. P. MARLAND, Jr.,
U.S. Commissioner of Education.

Mr. PELL. On December 3, 1971, the Commissioner responded to my inquiry as to the statutory authority of the Office of Education to carry out the renewal program. By this time the name of the project had been changed to "Education Renewal Sites." In his letter of December 3, 1971, the Commissioner of Education gave a simplistic explanation of his plans on this matter and assured me that there was no "legal infirmity" to the basic theory underlying the renewal-sites concept and stating that all of the matters relating to the programs he sought to consolidate would be administered consistent with legislative intent. I ask unanimous consent that the Commissioner's letter of December 3, 1971, be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, December 3, 1971.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PELL: This is in further response to your recent letter requesting information on the legality and impact on present Office of Education (OE) programs of my plans to reform the administration of certain OE programs. We are replying separately to concerns expressed in copies of telegrams attached to your letter pertaining to the transfer of functions within the Office of Education involving the ESEA Title II program.

I believe my specific plans can best be understood in the context of my view of the role of the Office of Education. It is my firm conviction that the fundamental purpose of OE is to assist the school systems of this country to improve the educational achievement of the students who attend them. The Office of Education must be an active participant in the continuing process of educational reform and change that is required to achieve this goal. To assure that OE will be of significant help to local school systems, I have been developing a general reform and renewal strategy for the Office. That strategy, which has been enthusiastically endorsed by Secretary Richardson, will require changes in the administration of some OE programs. All changes will be consistent with existing education legislation and will enable the Office to carry out the programs authorized by the Congress in a much more effective manner.

The major component of my renewal strategy is something that we have termed "Educational Renewal Sites." We intend this new administrative procedure (which will become operational in Fiscal Year 1973) to be the key element in our effort to make the Office of Education a forceful and effective advocate of renewal and reform in American education.

Simply stated, the renewal site strategy is as follows. Several existing Office of Education elementary and secondary project grant programs will be administratively coordinated in the future. The funds from these programs will continue to be available to local school districts. Some number of schools from within each district that is a successful applicant under this approach will be selected as an "educational renewal site" and the Federal funds will be concentrated in the "site." The specific OE programs that will be administered under this new approach are: (a) Bilingual education programs (Title VII of the Elementary and Secondary Education Act); (b) the Dropout Prevention Program (Section 807 of Title VIII of ESSA); (c) the 15 percent of the Title III ESEA Program which is for special programs and projects (Section 306 of Title III of the Elementary and Secondary Education Act); and (d) Part D of the Education Professions Development Act (Title V of the Higher Education Act).

To receive funds under this arrangement, a school district, in addition to meeting the normal requirements for the separate programs, will agree to: Involve all the appropriate members of the local community (teachers, administrators, parents, students, community groups, etc.) in the educational efforts at the renewal site; make an assessment of all the educational needs of those schools which will comprise the renewal site; and develop a comprehensive program designed to meet and overcome the problems discovered in the needs assessment.

Federal funds from the programs noted above will enable the schools comprising the site to develop the overall strategy, hire outside consultants, obtain the necessary materials and prepare teachers to use whatever techniques are needed to carry out the comprehensive educational program that has been developed for the site. These funds will be in addition to, and will not replace, the funds received by the district from State and local taxes, and from other Federal grant programs (e.g., impacted areas). Our objective is to enable school districts to use these major sources of funds in a more effective way under the impetus of the renewal site strategy. Such coordinated Federal funding will, we believe, encourage comprehensive planning and integrated programs on the local level.

The single most compelling reason for the development of this particular strategy is the assistance it will give to local school systems in their attempts to serve the educational needs of their students. This new approach will, we hope, lead to a measurable improvement over time in the educational achievement of students in the sites. In addition, it can instill in local schools an appreciation of the necessity for a continuous process of reform and give them the capacity to engage in self-evaluation and productive change even after the termination of Federal support.

In response to the legitimate concerns of school administrators over myriad and complicated Federal grants procedures, the renewal site strategy is designed to simplify such procedures at the local level. School districts which seek Federal funds for activities authorized under the above-referred to statutes will be able to submit a single application form. Such application will be reviewed against eligibility criteria which will,

to the greatest extent consistent with pertinent enabling statutes, be integrated into a single regulation. Although some of the details of operational procedure have not yet been finally determined, I have listed in an enclosure to this letter some basic decisions respecting the manner in which specific aspects of existing legislation relating to such matters as advisory councils, accounting procedures, etc. will be handled. As you will note, all such matters will be administered consistently with legislative intent.

Some specific concerns have been expressed about the future disposition of programs authorized by the Education Professions Development Act (EPDA). As noted above, the EPDA programs affected by the educational renewal site strategy will be those authorized by Part D of Title V of the Higher Education Act. Any other parts of that Title for which funds are appropriated by the Congress, e.g., the Teacher Corps, will continue to be administered as separate programs.

The renewal site strategy has been reviewed by HEW's Office of General Counsel, which has advised that it finds no legal infirmity in the basic concept underlying this approach. As we formulate the procedural details of this program, we shall be working in cooperation with the Office of General Counsel to assure that (1) rules of eligibility for program grants under the pertinent appropriations will be consistent with standards of eligibility in the corresponding enabling statutes and (2) sufficient accounting procedures on the part of the grantee and the Office of Education will be followed to ensure that the purposes for which funds were appropriated and granted are satisfied by the grantees' expenditures.

The coordination of the programs affected by the renewal site strategy will be implemented within the Office by having them administered by a single unit reporting to the Deputy Commissioner for Development. These programs (Bilingual Education, Dropout Prevention, fifteen percent of Title III ESEA, and Part D of EPDA) will be administered by the new unit which we have named the National Center for the Improvement of Educational Systems. This unit will provide organizational coherence for the educational renewal site strategy.

Everything that I have done thus far as Commissioner of Education, and everything that I propose to do in the future, has one major goal—to assure that the Office of Education can effectively aid the school systems of our country to increase the educational achievement of children. I intend to make the Office an energetic agent of renewal and reform in education at all levels consistent with our statutory mission. The changes in OE practices and procedures that I have discussed in this letter are essential components of my renewal strategy.

I earnestly request your understanding of and support for these changes in OE so that our mutual desire to improve the education of all our children can be made a reality.

Sincerely,

S. P. MARLAND, Jr.,
U. S. Commissioner of Education.

EDUCATIONAL RENEWAL SITES

1. *Existing Programs and Projects.*—The Office of Education has made some moral commitments to school districts under existing legislation to fund certain programs (e.g., Career Opportunities Program and Urban/Rural Program under EPDA) for several years. These commitments are subject to the usual understanding that Congress must appropriate sufficient funds for such programs each year and that the local school district must continue to carry out the program according to the legislative intent.

All such commitments will be honored. School districts to which the Office has made such a commitment of funds extending through and beyond Fiscal Year 1973 will have two opinions: (1) they may continue existing projects as part of the more comprehensive renewal site approach; or (2) they may continue these existing projects as separate programs and not have become part of the new site approach. In no instance will there be any arbitrary termination of an existing project.

2. *Funding Authorizations.*—All funds appropriated for the separate OE programs that will be administered as part of the educational renewal site strategy will be spent for the purposes for which they were appropriated. Thus, for example, whatever amount of money is appropriated by the Congress for the Bilingual Education programs authorized by Title VII of the Elementary and Secondary Education Act will be spent for such programs.

3. *State Educational Agencies.*—Under existing legislation, State educational agencies have a variety of roles to play in the programs to be administered under the educational renewal site strategy.

Under the Bilingual Education Act (Title VII of ESEA) and Title III (i.e., the fifteen percent administered by the Commissioner under Section 306 of ESEA) applications cannot be approved by the Commissioner unless they have been submitted to the appropriate State educational agency for comments and recommendations.

Dropout Prevention project must be approved by the appropriate State educational agency (Section 807 of ESEA).

Part D of EPDA requires consultation with State educational agencies to satisfy the State agency that the program or project will be coordinated with programs carried on under Part B of EPDA (see Section 531 (a)).

Accordingly, State educational agencies will be requested, in all instances, for their nominations for educational renewal sites and for their comments and recommendations on the programs of possible sites. Since the ultimate responsibility for approving sites and programs rests with the Commissioner of Education, it is possible that some sites, in unusual circumstances, may be selected which have not been nominated by a State agency. Even in those circumstances, however, the projects will be subject to State educational agency comment or approval wherever the applicable statute requires such comment or approval.

4. Accounting for Funds—Existing legislation requires such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant. This requirement will be met in at least two ways:

1. OE will keep track of what amount of funds from each categorical program go to each renewal site. In a hypothetical case, a $100,000 grant to an LEA might consist of $25,000 from funds appropriated for Bilingual Education, $25,000 from section 306 of Title III funds, $25,000 from Dropout Prevention funds, and $25,000 from Part D of EPDA funds. This breakdown, of course, would depend upon the nature of the funded activities, as determined by OE.

2. Each site will have to adhere to customary Federal accounting procedures. Specific items of expenditures will be attributed to funds coming from specific categorical programs.

5. Regulations and Guidelines—The regulations and guidelines for the several programs to be administered under the educational renewal site strategy will be combined into a single set. The unified regulations and guidelines will contain all the specific requirements that the separate authorizing acts mandate, e.g., that Federal funds supplement, and not supplant, State and local funds (Section 304(a)(3) of Title III of ESEA); that programs be of a size and scope that will make a substantial step toward achieving the purposes of the legislation (Section 705(a)(3) of Title VII of ESEA); that effective procedures be adopted for evaluating the effectiveness of programs (Section 807(b)(3) of Title VIII of ESEA); etc.

6. Reports and Evaluations—All educational renewal sites will have to meet current legislative requirements for annual reports. All will be subject to an evaluation of results. But grantees will submit a single report (not four or five separate ones on each categorical program) and a single evaluation of the site's comprehensive program.

7. Advisory Council—Existing legislation provides for the following Advisory Councils in connection with the programs involved in the renewal site strategy.

A National Advisory Council on Supplementary Centers and Services (Section 309 of Title III of ESEA).

An Advisory Committee on the Education of Bilingual Children (Section 708 of Title VII of ESEA).

A National Advisory Council on Education Professions Development (Section 502 of Title V of the Higher Education Act).

All these Councils will be expected to give advice on the general renewal site strategy and the relation of their particular programs to it. All will continue to fulfill any other statutory obligation, e.g., the Title III Council submits an annual report to the President and the Congress, the Bilingual Council develops criteria for the approval of applications, etc.

8. Eligible Applicants—A variety of agencies are now eligible for Federal funds under the programs involved in the educational renewal site strategy: local educational agencies (all programs); institutions of higher education which may apply jointly with a local educational agency under the Bilingual Education Act; institutions of higher education and State educational agencies under Part D of EPDA; nonprofit institutions or organizations of Indian tribes under Section 706(a) of the Bilingual Education Act; and the Secretary of the Interior for Indian schools under Section 706(b) of the Bilingual Education Act.

All these agencies will continue to be eligible to apply for funds under the educational renewal site strategy. Although priority will be given to applications reflecting the renewal site approach, some applicants unable to meet the comprehensive requirements of this approach will also receive assistance.

Mr. PELL. On December 10, 1971, the Commissioner, at his request, came to see me in order to discuss the educational renewal site proposal. At that time I told him that I had no authority to approve or disapprove of what he was doing unofficially; that the only way the Congress could act was by law, and that if the Office of Education wished to continue with the education renewal site program, the Commissioner should perhaps submit legislation to the Congress. I also promised the Commissioner that I would give the Office of Education a fair hearing to any legislative proposal submitted on this subject. During the course of that meeting I indicated to the Commissioner that I was not speaking against the concept of "renewal," but that I did question the method by which the program was being established. Indeed, I indicated that certain statutory authority could perhaps presently be utilized for a limited pilot-type program. At this meeting the Commissioner delivered a letter explaining how the reorganization had affected library and educational technology programs. I ask unanimous consent that

at this point in the RECORD there be inserted the Commissioner's letter of December 9, 1971.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF EDUCATION,
Washington, D.C., December 9, 1971.

Hon. CLAIBORNE PELL,
Chairman, Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further response to your recent letter enclosing copies of telegrams you have received pertaining to the transfer of functions within the Office of Education involving the ESEA Title II program.

In order to bring about the most effective coordination of the various education programs which deal with libraries and the training of librarians, the Office of Education is creating a Bureau of Libraries which will bring together the Office's activities relating to this effort. Included in the Bureau will be those programs authorized by the Library Services and Construction Act (which services public libraries), Title II of the Higher Education Act (dealing with college library resources and library training), Title II of the Elementary and Secondary Education Act (dealing with libraries at elementary and secondary education levels), and the Library Research Program conducted under the authority of the Cooperative Research Act.

This realignment of the library services will centralize in one organization responsibility for library programs which serve all clientele levels—elementary and secondary, higher education, and the general public. This realignment will have the effect of strengthening the professional relations among the various library groups and agencies and will bring the library programs of the schools into closer contact with the public libraries. Thus, without in any way diminishing existing channels of coordination with the curriculum of the schools, the reorganization will facilitate new types of coordination at the local level between school and public libraries, including the introduction of new forms of media and learning resources for all school children. This realignment is consistent with the mandate in the Library Services and Construction Act to coordinate "school, public, academic, and special libraries and special information centers for improved services of a supplementary nature to the special clientele served by each type of library or center." It does not in any way preclude the use by libraries of educational technologies appropriate to the programs administered by the Bureau.

Under these circumstances and since what is involved is simply a restructuring of administrative functions within the Office of Education, we think that these actions are well within the authority of the Office of Education, and have so been advised by counsel. Grantees and applicants under these programs will continue to be funded on the same bases and will be subject to the same procedural and substantive requirements, as set forth in existing statutes, regulations, and guidelines.

The educational technology portion of the former Bureau of Libraries and Educational Technology, which deals primarily with educational broadcasting, is being assigned to the Deputy Commissioner for Development as part of our emphasis upon educational renewal. I am enclosing for your information tables detailing the programs to be transferred to the proposed Bureau of Libraries and those which will become part of the National Center for Educational Technology, together with appropriate budget information.

I am confident that the new Bureau of Libraries will give a vigorous response to the national needs of our school and public libraries and that this move will strengthen our library programs. I would be most happy to discuss the matter further with you at your pleasure.

With best regards,
Sincerely,

S. P. MARLAND, JR.,
U.S. Commissioner of Education.

PROPOSED BUREAU OF LIBRARIES

	Fiscal year appropriations (in thousands)			
	1969	1970	1971	1972
Public libraries	$40,700	$40,700	$40,700	$40,700
Services:				
Grants (LSCA I)	35,000	35,000	35,000	46,500
Interlibrary (LSCA II)	2,701	2,701	2,701	2,641
State institutional (LSCA IV-A)	2,094	2,094	2,094	(1)
Handicapped (LSCA IV-B)	1,334	1,334	1,334	(1)
Construction	9,185	9,185	7,052	9,500
College library resources (HEA II-A)	25,000	20,750	9,000	11,000
Librarian training (HEA II-B)	8,250	6,833	3,000	2,000
Planning and evaluation		99	400	400
School libraries (ESEA II)	50,000	50,000	88,000	[2] 92,000
Library research (cooperative research)	(3)	2,171	2,171	2,750
Total	133,144	129,737	144,172	164,050

[1] Included in general education under cooperative research.
[2] Consolidated into public library services (LSCA title I).
[3] Would be transferred from the Bureau of Elementary and Secondary Education.

PROPOSED NATIONAL CENTER FOR EDUCATIONAL TECHNOLOGY

Program (fiscal year 1972)	Authorization	Funds
Improvement and expansion of educational TV and radio facilities	Public Broadcasting Act, as amended, title I.	$13,000,000
Media specialist training	Pt. D, EPDA	1,000,000
Childrens Television Workshop (CTW):		
(a) Sesame Street ($5,000,000).	"Cooperative Research Act," Pt. IV ESEA.	7,000,000
(b) Electric Company ($2,000,000).		
Total		21,000,000

In 1970, the Office of Education implemented a reorganization plan to consolidate library and education technology activities within a Bureau of Libraries and Educational Technology under EPDA. The combining of these two groups was done in the belief that it would be more efficient to administer both of the educational resources programs as one, so that State and local agencies could interface with just one administrative arm. Although there was initial opposition to this combination, based on the belief that each group would be eclipsed by the other, the marriage of the two has worked out rather well.

This year, in formulating plans for a reorganization to strengthen OE's ability to effect a renewal strategy, it was decided to split off the Educational Technology section and put it under the proposed Deputy Commissioner for Renewal. This change is needed because technology will play a vital role in implementing many facets of the renewal strategy. Shifting the Educational Technology section to the Deputy Commissioner for Renewal will, in effect, raise it one level in the OE organizational structure.

At the same time, OE is also going to coordinate and consolidate its library activities further. In a new Bureau of Libraries, it will be possible to bring about more effective coordination of the various education programs which deal with libraries and the training of librarians.

Included in the consolidation will be those programs authorized by Library Services and Construction Act (which services public libraries), Title II of the Higher Education Act (dealing with college library resources and library training), Title II of the Elementary and Secondary Education Act (dealing with libraries at elementary and secondary education levels) and the Library Research Program which is conducted under the Cooperative Research Act.

This realignment of the library services will centralize in one organization responsibility for library programs which serve all clientele levels—elementary, secondary, higher education, and the general public. This realignment will have the effect of strengthening the professional relations among the various library groups and agencies and will bring the library programs of the schools into closer contact with the public libraries. Thus, without in any way diminishing existing channels of coordination with the curriculum of the schools, the consolidation will facilitate new types of coordination at the local level between school and public libraries, including the introduction of new forms of media and learning resources for all schoolchildren. This consolidation is completely consistent with the mandate in the LSCA to coordinate "school, public, academic, and special libraries and special information centers for improved services of a supplementary nature to the special clientele served by each type of library or center."

Mr. PELL. On December 13, 1971, I wrote the Commissioner in order to clarify our conversation of December 10, 1971. In that letter I pointed out that to include the bilingual education program and the dropout prevention program in the renewal program would be contrary to the intent of Congress. I ask unanimous consent that my letter of December 13, 1971, be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON LABOR
AND PUBLIC WELFARE,
Washington, D.C., December 13, 1971.

Hon. SIDNEY P. MARLAND, JR.,
U.S. Commissioner of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. COMMISSIONER: I would like to clarify the situation with respect to our conversation on education renewal sites which took place last Friday, December 10, in my office.

I have asked staff to review the authorizing legislation involved with your proposal on renewal sites. At this time, as we understand present law, authorizations which can be used for renewal sites are the Cooperative Research Act, the Federal portion of title III of the Elementary and Secondary Education Act of 1965, and part D of the Education Professions Development Act. To some extent, the authority for the Dropout Prevention Program can be used. However, the legislative history for the Dropout Prevention Program indicates that only a relatively small number of projects in areas of outstanding need in which there are high concentrations of school dropouts may be funded. It was thought in 1967 that this program would be limited to eight or ten projects each year. Any attempt to spread the dropout prevention money to the extent necessary to fund more than twelve projects would certainly be beyond the intent of the Congress.

As I view the Bilingual Education Program, to subsume its appropriations for education renewal sites would definitely be to divert the program from its primary purpose under the law.

During our conversation, I suggest that you might wish to experiment with twelve projects using the "free money" under the three authorities where the renewal site concept is permissible. Counsel informs me that the conferees on S. 659 could possibly inhibit some of this "free money" authority for future fiscal years. At the same time, if Senators are inclined to offer amendments to S. 659, the result may be that you would no longer have the authority to conduct experiments such as we discussed.

In order to prevent such a situation from arising inadvertently, I would be inclined to exercise my prerogative as Chairman of the Subcommittee on Education, and put forward an amendment which would satisfy the concerns of those Senators, clarify the law with respect to consolidation of programs, and explicitly authorize funds for experimentation of the type you would like to conduct. Such an amendment may also serve to prevent further amendments in the House, where I understand opposition to the renewal site proposal may be stronger than it is in the Senate.

At any rate, I believe that the decision must be made on the merits rather than by poorly considered amendments which do not deal with the merits of your proposal. I would say that any proposition involving the number of sites you propose, however, would constitute more than an experiment. I know you stated that a small number of sites would not be sufficient to have an impact on the country as a whole. In my opinion, I would question whether an experimental program ought to have an impact on the country as a whole, until it has been proven by experimentation.

It is unfortunate that the education renewal site proposal has been caught up in such great confusion. However, I am of the opinion that the confusion could have been avoided if the proposal had been advanced as a legislative proposal rather than as an administrative reorganization proposal. Hopefully, this confusion has not brought the situation beyond control, and we can cooperate in getting authority to experiment, even though it is not of the scope you would like.

Ever sincerely,

CLAIBORNE PELL.

P.S. I have received your letter of Dec. 9 concerning school nutrition and health services. I want to thank you for consideration of this matter. Please be assured that I appreciate mutual cooperation with you on matters of concern to us both.

Mr. PELL. On December 13 the Commissioner of Education wrote me a letter in which he enclosed two items designed to further illustrate the renewal ideas of the Office of Education. One of these items was a copy of the publication called "Education U.S.A." in which the statement was made that the approval of the renewal site strategy was being sought. This furthered my conviction that the Commissioner of Education, by informal conversations with me, was seeking official approval of the Congress. I then decided that the best thing to do was to ask the Commissioner of Education to defer any further action on the renewal site strategy until the Congress had had time to review the situation. I ask unanimous consent that the Commissioner's letter and material of December 13, 1971, be inserted at this point in the RECORD, and that my response of December 20, 1971, also be inserted at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE U.S. COMMISSIONER OF EDUCATION,
Washington, D.C., December 13, 1971.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PELL: Enclosed are two items that may not have come to your attention. They have to do with further illumination of our renewal idea as discussed with you last Friday.

I appreciate the time and thought that you gave to our discussion and felt that both of us came closer to an understanding of each other's respective positions.

I continue to feel strongly that if we are really going to be very effective in this Office, something akin to the renewal concept must be launched. I believe that this can be done in such a way to insure the integrity and preservation of key legislative authorities being considered for inclusion in the renewal design. We are seriously mindful of your counsel in any steps that we may ultimately take.

Sincerely,

S. P. MARLAND, Jr.,
U.S. Commissioner of Education.

RENEWAL PROGRAM AIMED AT 10,000 SCHOOLS

Sweeping changes in 10,000 schools with 5.5 million disadvantaged children—this is the ambitious 14-year goal of U.S. Comr. of Education Sidney P. Marland's new "educational renewal" plan. Marland spelled out details of the program at the annual meeting last week of the Council of Chief State School Officers (CCSSO) in Louisville, Ky. Plainly eliciting support and cooperation from the 37 assembled "chiefs," Marland said his plan "could, over time, amount to probably the most significant change in the style and character of the U.S. Office of Education (USOE) since its beginning." He also predicted that it would end the "generally disappointing record of federal research and development efforts." APPROVAL OF THE STRATEGY IS NOW BEING SOUGHT FROM CONGRESS.

"*Our intention,*" *Marland said, "is to assist a limited number of schools in installing totally new programs involving all aspects of the school.*" The new emphasis is on "all." Efforts at innovation in the past, he said, "have been isolated, noncomprehensive, aimed at improving only one aspect of a school." Each program will be funded for a five-year period, "assuring the experiments a solid chance to become successfully launched and, after the initial five-year period, to fly on their own with combined state and local assistance." Marland says he hopes the evident success of each project, as it is established and begins to function, will prompt the state school superintendents to spread the lessons quickly to other schools.

Other highlights of the plan: the state chiefs will "nominate" districts for participation; final selection will be made by USOE in cooperation with the states; all projects must have large concentrations of disadvantaged children; two-thirds of the schools will be in urban areas and one-third in rural areas; each state will be assured at least one renewal project in the first year of the program; a district's proposal to be a renewal project can be submitted in a single application. Marland said "we will be open to any proposal that makes sound educational sense and ask only that proposals conform to three criteria: evidence of state and local commitment, such as a willingness to undertake sweeping renewal or change and to increase, or at least maintain, current spending in the target schools; comprehensiveness, involving all aspects of affected schools; program objectives stated in measurable terms, such as raising average student achievement by a definite percentage over that to be expected in a normal school year."

Marland said the program would begin in 1973-74 at 200 "sites" (each site will average 10 schools and could be either a school district or a subdistrict within a larger district). The first year's effort, involving 1 million children, would be financed by $150 million gathered in one package from most of USOE's discretionary or uncommitted funds. It would then expand with 100 additional sites each year. At its peak in 1977, the program would be funded at $350 million per year to operate 600 sites. A total of 1,000 sites will have been involved when the program is completed in 1986. The entire program is being developed by USOE in cooperation with a special CCSSO task force headed by John W. Porter, Michigan state superintendent. Porter, an enthusiastic supporter of the plan, wants the states to play a major role in the new effort. Most "chiefs" were neither hostile nor enthusiastic. They seemed to be saying: "We'll believe it when we see it."

AN INTERIM ACCOUNTING [1]

(By S. P. Marland, Jr.)

H. M. Tomlinson, the English novelist, authored a comment on the pitfalls of oratory that every public speaker should paste in his hat. "How many grave speeches," Homlinson write, "which have surprised, shocked, and directed the Nation, have been made by Great Men too soon after a noble dinner, words winged by the press without an accompanying and explanatory wine list."

A sobering thought, to be sure, and one that compels me to spend my time with you this morning not in grave oratory about future achievements, but in discussing promises I have already made as Commissioner, and accounting for such progress in their fulfillment as I can claim. It is, after all, rather early in the day for futuristic scenarios. As Tomlinson suggests, they tend to go down better in a convivial, postprandial atmosphere. In specific terms, I would like to offer you this morning an interim accounting on progress to date in reaching a goal of considerable significance to us in the O.E. and to you in the States—that of developing and implementing a truly effective program of educational research and development in our time, and our accompanying concept for an educational renewal strategy.

I use the word *interim* because our plans cannot be considered as cast in bronze. Certainly, we are still deeply engaged in the complex business of winning approval for the scheme we have proposed for reordering and redirecting a good share of our discretionary funds, a plan that could, over time, amount to probably the most significant change in the style and character of O.E. since its beginnings. We have found ourselves doing a lot of explaining to the White House, to HEW, to education officials, and organizations, and most particularly to the men and women on Capitol Hill. The congress is naturally concerned that we in the Bureaucracy carry out rather than skirt the intent of educational research and development legislation. As I shall explain in a moment, our plan, I am personally convinced, would carry out that intent with far greater precision and effectiveness in serving you and the schools than he present arangement under which the Office has been dispensing developmental funds, an arrangement which has left a clear field for improvement.

But whatever organizational headaches are involved for us in the Office of Education in putting the renewal program together are a small price to pay for the results we envision. During the time—nearly a year now—that I

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[1] Before the Annual Meeting of the Chief State School Officers, Executive Motor Hotel, Louisville, Kentucky, Tuesday, November 16, 1971, 9:00 a.m.

have been in Washington, I have found that assuming certain institutional disorder and pain at our level may result in a relief of disorder and pain at yours—and correspondingly favorable results for the school children of this country. Avoiding simple expediency and administrative calm and reaching out for good ideas, informed veteran opinions—indeed, every piece of intelligent advice that we can lay our hands on—tends to keep our Washington pot boiling. It is in this context that I have listened closely to wise and able old—and young—hands in assessing our research and development history.

If you seek to pinpoint the reason for the generally disappointing results of the Federal R&D effort in education to date, if you search for explanations as to why more than $1 billion in Federal research and development expenditures have produced so little in the way of tangible results in our schools, then I believe you will begin to understand the nature of our quest and to begin to catch the spirit of our present thrust for change.

Up to now we have not been willing to go fast enough or far enough in introducing validated new processes in our educational system. Nor have we had a sufficiently respectable or dependable or systematic resource for *performing* research and development and then, following its validation, delivering its products to you for installation and advancement. We have sprinkled our R&D dollars like seeds, hopefully but thinly, enthusiastically but improvidently, not so much working systematically for a new order of educational efficiency as wishing one might suddenly burst into luxuriant blossom from the seed we've scattered. And, as you might expect, it hasn't happened.

Virtually all of our research and development activities fall, in one way or another, in our modest discretionary budget, whether specifically in the National Center for Educational Research and Development, or less directly in the Bureau of Educational Personnel Development, Experimental Schools, the Right To Read, Bilingual Education, our 15-percent setaside under Title III of the Elementary and Secondary Education Act, or whatever. As I said to you at the AASA meeting in Atlantic City last February, our intention at that time was to stop short, to clamp down on expenditure of all such discretionary funds not already firmly committed, to think through the reasons for the failure of generalized innovation in the 1960's. Above all, our intention was to commit no more dollars to nontargeted R&D no matter how appealing the proposals and to spend only when convinced that such expenditures would produce effective change in the classroom.

In the days since Atlantic City we have developed a renewal strategy to accomplish that broad objective. We have responded to the President's call for educational reform through a strategy that reflects not simply the experience and convictions of those of us within O.E. or within HEW, but that embodies the wisdom and interests of the States and localities, of public officials and private persons, of individuals and groups such as yours. And I would acknowledge at this point our profound indebtedness to the advice and counsel provided by a task force from the Chiefs chaired by Superintendent John Porter of Michigan, individuals who have been close to this issue. The quality and the volume of the assistance we have received from this group in this extremely important undertaking are to me the most persuasive guarantors of its success. We cannot in our field of work brew schemes in dark secrecy and then spring them upon 16,000 school systems and two million teachers and expect anything good to happen. It simply will not. Indeed, as I said moments ago, we will continue to solicit your reactions to our plans as I discuss them and as Don Davies and his staff explain them to you in still greater detail. And we gratefully intend to go on meeting with Superintendent Porter and his committee as the development of this strategy moves forward.

The essence of our approach to educational renewal is best stated in one word—*concentration*. We are taking our many discretionary parts, as distinct from formula programs, and putting them together in what I hope will be a critical mass of intelligent power. Efforts at innovation in the past have been isolated, noncomprehensive, aimed at improving only one aspect of a school, such as teacher-training, curriculum, or class organization. Though such experiments often had a temporary success, the greater weight of traditional practice snuffed out piecemeal change as time went on. Our intention now is to assist a limited number of school systems in installing total new programs involving *all* aspects of the school, its staff, and its clientele, employing the most responsive and the most effective techniques that can be devised for each individual system. We will fund each of these sites for a five-year period, assuring the experiments a solid chance to become successfully launched and, after the initial five-year period, to fly on their own with combined State and local assistance. As each site is established and begins to function, we hope its evident success will prompt you as the chief education executive in each State to spread its effect quickly to other sites.

The renewal effort will impact directly on the lives of five and one-half million of the most deprived—and therefore the most educationally resistant—children in the United States over the next 14 years, with built-in performance goals for each child. The national objective of serving the educationally disadvantaged remains the overriding goal of this action. The success that we hope to achieve with the five and one-half million can then be extended throughout the country, generating a body of knowledge and understanding that can be applied to an infinitely broader number of youngsters for an infinite number of days and years to come.

In addition to sharpening our focus through concentration on fewer school systems and fewer children, we are also concentrating our discretionary funds, which have been spread all over the Office of Education's operating bureaus, into a single operating division under the direction of the Deputy Commissioner for Development, Don Davies. With a few deliberate exceptions, the other divisions of O.E. have assigned their discretionary dollars to Don's office. Consequently we have a comparatively impressive war chest which—presuming we win the approval of Congress for our strategy—we can now focus in a unified, comprehensive attack on major educational problems.

No longer will it be necessary for the State or local school superintendent to deal with the infinite array of documents and the numerous individual program managers in each area of interest in O.E.—whether dropout prevention, Title III of the Elementary and Secondary Act, education professions development, bilingual education, or other concerns. No longer will it be necessary to fill out individual forms for each program, work out complicated relationships with unrelated and randomly located staff, attempt to coordinate differing funding cycles, and be responsible for an endless series of separate evaluative reports, year after year.

No longer, in sum, will it be necessary to do what the school superintendent of this very city, Louisville, Kentucky—Dr. Newman Walker—was forced to do early in 1970 as he and his academic sought help from Washington in solving school problems as severe as those of almost any city in the Nation. But it was the very success of Dr. Walker and his chairman of school operations, Dr. Frank Yeager, in overcoming our seemingly necessary bureaucratic obstacles that brought us to the point of doing away with them altogether. Louisville's achievement in establishing a prototype site-concentration technique convinced us in the Office of Education that the renewal strategy we were contemplating could work as well as we expected and that it could work for *all* State education agencies and local education agencies. In Louisville it is working and I recommend that any of you interested in obtaining first-hand information on the method confer with Dr. Walker and visit his target schools.

Dr. Walker came back from Washington with a coordinated package of no less than 18 separate Federal education programs with which he has begun to turn his entire school system around. Funds made available through the package totaled $4.6 million for last year and $5.3 million this year. With the exception of Title I formula grant funds under the Elementary and Secondary Education Act, all are discretionary programs. Louisville thereby became the Nation's first city to tap so many separately funded and administered Federal education programs and to use the grants in a consolidated attack on its educational problems. The remarkable story of Dr. Walker's journey through the labyrinth of grantsmanship at 400 Maryland Avenue is published in the December issue of the very excellent magazine of the Office of Education, *American Education*. I recommend it as an account of a very enterprising team of individuals in what is generally and wrongly regarded as the stodgy learning industry, and also a brilliant example of what we believe our renewal strategy can accomplish in approximately 200 renewal sites in 1973–74, the initial year of operation. I think it is important to add that, contrary to the unflattering stereotype, lively and imaginative bureaucrats at 400 Maryland Avenue have had a large hand in putting this package together. It is to their everlasting credit that they are ready to sweep aside the comfortable and familiar routines of program management in its numerous and job-secure parts, and grow with the task themselves.

Each site will have an average of 10 schools, all of them in areas where there are large concentrations of disadvantaged children. About two-thirds of these schools will be in urban areas, the other third in rural. A needs assessment—developed not by us in Washington, but by the education officials, teachers, students, parents, and residents in the communities themselves—will be the basis for the package of programs funded by O. E. In other words, we will *ask* the communities to tell us what they need, rather than us telling them, the usual configuration up till now. Further, the States and the communities will have selected *themselves* for this action. We will share in the final determination of what shall be a site, but first the site community will have invited our engagement.

We will be open to any proposal that makes sound educational sense and ask only that proposals conform to three criteria: First, evidence of State and local commitment, such as a willingness to undertake sweeping renewal or change and to increase or at least maintain levels of current spending in the target schools; second, comprehensiveness, involving all aspects of the affected schools; third, program objectives stated in precise measurable terms—such as raising average student achievement by a definite percentage over that to be expected in a normal schoolyear, or decreasing the gap in achievement between disadvantaged and middleclass in the same district by a stated percentage.

Presuming that a community's needs assessment and its proposed solutions meet these broad requirements, the proposal can be submitted in a single application, no matter how many components it includes. Local research, teacher-training, develop-

ment of paraprofessional aides, audio-visual materials, medical and dental examinations, family involvement, curriculum and organizational change—all can be lumped together in one document.

I want particularly to point to the substantial part that your State departments will play in this renewal plan, a marked departure from the present procedure in which the principal exchange in between Washington and the grantee, with the State having a very peripheral involvement. The States, to begin with, will identify the renewal sites. While the procedure isn't as yet wholly worked out, I would guess that we will invite each of the Chiefs to nominate districts within their jurisdictions that seem to combine both need and strong willingness and potential for solving their problems. We could, I would guess, count on receiving 500 or 600 nominees for the initial 200 awards, with the final selections a matter of close examination and negotiation between your offices and mine. While the extremely deprived areas that we are aiming at are obviously not distributed equally throughout the country, each State will be assured of at least one renewal site in the first year and very likely several more before the program closes out in 1986.

The State department will also house at least half the total number of "educational renewal extension agents." The function of these persons, who will be key figures in the renewal strategy, is based on a borrowed concept, the very successful system of agricultural extension agents who carried to the farmers information on government-developed agricultural research and development, those techniques that helped to revolutionize farming in this country starting early in this century. The educational extension agents, operating either from the State Department or from Teacher Centers located at each renewal site, would tie practitioners to Federal, State, and local researchers in what we hope will be a most productive partnership. The agents would not be there to tell the teachers what to do, but to ask them what help they need, what sort of ideas do they want to explore, what kinds of problems they are running into, what we have in our Federal resources that they might not know about.

This information would be channeled back to Washington where it could be determined what resources were available to help each individual case and how the experience could tie in with target tasks in research and development in the newly created National Institute of Education. Just as his agricultural counterpart showed the American farmer of a half-century ago how to rotate crops, contour-plow, and employ proper fertilizers to achieve greater yields, the educational agents will work with the teachers to help them achieve greater classroom yield—how to break through the reading problem, how to overcome learning difficulties of racial and ethnic minorities, how to start a boy or girl on a course leading to personal fulfillment and career success. These are the everyday, down-to-earth problems that any program of educational reform worthy of the name must address and solve.

What I have attempted to describe to you this morning is a new structure for the Office of Education, growing out of the vast new powers of the National Institute of Education, the implicit prestige of the kind of quality work that will be done there, and from a new determination within the Office of Education itself to get the new products of educational research to the teachers. This is not merely a passing project of the Federal Government—it is a new dimension of educational leadership and service—on call to all who need help.

That, in roughest outline, is our plan for educational renewal. You cannot call it revolutionary, and perhaps that is just as well. I would prefer calling it systematic myself, for I would guess that in the long history of man, sound systems have accomplished far more than revolutions. This will not be hit-or-miss, and it will not be scattershot, but a careful, concentrated, and responsive approach to devising reasonable, workable, permanent solutions to the toughest educational problems we face today. It responds to the President's mandate, as noted earlier; it responds to the Secretary's insistence that all HEW research and development be translated into action—or else; and I hope that it responds to the compact between each of you and me that we increase swiftly the effective teaching and learning of the poor and the minorities.

One more modest accounting of progress before I close. You will recall that at our meeting in June I laid out in a very preliminary way our concept of an integrated system of educational statistics for Federal, State, local, and institutional planning and management. We called the proposed system *Common Core of Data for the 70's*. The idea was to provide current, reliable data for the entire educational structure, whether local, State, or Federal, (including our very important client, Congress), with the cost to be shared by all three.

I am happy to report that the concept is moving ahead. CCD–70 has begun to take shape, having, I can predict with some optimism, successfully negotiated the Fiscal Year 1973 budget review in the Office of Education and in HEW and, hopefully, in the Office of Management and Budget. While we can anticipate only modest amounts of money for planning purposes in the current fiscal year, we look to significant funding in FY '73. At the very least we expect to be able to fund three States on a demonstration basis, and hopefully a number more. The purpose would be to build within each demonstration State an information-collection system that would be completely responsive to the needs at the State level as well as totally articulated with a national system.

A number of the Chiefs have written me or Dorothy Gilford expressing their interest in becoming an early part of CCD–70. We appreciate that expression of faith and we look forward as you do to the creation of an information system that will finally link all States and the O.E. in a constructive partnership in the unification, production, and employment of relevant educational statistics. I believe that in the decades ahead the crucial substance of education will stand so high among our public values and concerns that this instrument will be a least as significant a force for public policy decisions as the Bureau of Labor Statistics.

These are small benchmarks of advancement that I have come to tell you about this morning, these efforts to strengthen and redirect our research and development effort and our data gathering procedures. Our renewal program is estimated to entail expenditures of a little more than $150 million in the first year of operation, a trifle more than three percent of the total O. E. budget. Obviously this is nothing upon which to mount grandiose rhetoric, the sort of overpromising that has produced a boomerang of public disenchantment too often in our profession. I get the impression that the public is not as tired of the rising cost of education as of the rising rhetoric.

And yet I am pleased to be able to report to you that we have made these steps forward. Because when you consider the others that we are taking, I believe that substantial forward movement is evident. I am speaking of the National Institute of Education which has been approved by both houses of Congress, and the career education theme which has received enthusiastic acceptance nationally, following your reassuring endorsement six months ago, and from my individuals and groups both in and out of the education profession. And I would say that there is much more activity underway—at all levels of governmental and private endeavor—that argues impressively for progress and accomplishment.

I believe that my perhaps naively optimistic statements, made early in the game, have turned out to be as on-target as I could have hoped. In those statements I expressed total faith that the leaders—the good men and women of education—particularly the professionals who are working in the Office of Education and in the State departments of education—can advance our profession swiftly in a nondefensive spirit of reform and regain the high faith of the people. Naively optimistic? Perhaps, but it's beginning to happen.

U.S. SENATE,
Washington, D.C., December 20, 1971.

Hon. SIDNEY P. MARLAND, JR.,
U.S. Commissioner of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. COMMISSIONER: Thank you for your letter of December 13, in which you enclosed your speech on "Interim Accounting" before the Annual Meeting of the Chief State School Officers on November 16.

I find the speech helpful in trying to figure out what is to be done in an education renewal site. I am hopeful that you will provide me with further information which will indicate the types of activities for which you propose to expend Federal funds.

However, your letter raises a question in my mind about our conversation on Friday, December 10. As I understood our discussion, you were proposing that the various authorities in present law be used to experiment with education renewal sites, and that legislation authorizing the program be brought out after you had had an opportunity to see how these experiments worked out. From the materials you enclosed, I fail to find an indication that your proposal is experimental, or that you envision legislative authority for the program. As I stated in our meeting, I find your proposal for establishing renewal sites very interesting, and, as I stated in my letter of December 13, I believe the proposal should be considered by the Congress on its merits. But I cannot commit the Committee on Labor and Public Welfare or the Congress to favorable consideration of any legislative proposal.

In addition, I believe that I have a responsibility to prevent the Congress from being presented with a "fait accompli" which would tend to force favorable consideration of legislation. It is my belief that if you proceed with the education renewal site program until 1973 or 1974 and then ask for legislation ratifying the program, the Congress will be placed in the awkward position of deciding whether to continue the program, when it ought to be in the position of deciding whether the program ought to be begun. In 1973 the persons responsible for education in the executive branch and the legislative branch of the Government may be entirely different from those now responsible. If I am not Chairman of the Subcommittee on Education in 1973, and if I permit the education renewal site program to be begun, I would be in effect committing my successor to a course of action which was never properly considered by the Subcommittee on Education, where hearings and deliberations by the Subcommittee are considered the normal procedure for initiating an education program.

Under present circumstances, I would like to consult with my fellow members of the Education Subcommittee on this matter. It may be that they would wish a public hearing. I would also like the advice of the education community. It may also be that the Subcommittee would like the advice of the

General Accounting Office on the legal implications of the matter.

It appears that we can not have these consultations until the Congress returns in January. Therefore, I would hope that further proceedings by the Office of Education on the education renewal site proposal are delayed until the Subcommittee on Education has had an opportunity to consider this matter. I would also hope that we could maintain our communications until that time.

Ever sincerely,

CLAIBORNE PELL,
Chairman, Subcommittee on Education.

Mr. PELL. On January 7, 1972 the Commissioner of Education wrote to me stating that the Office of Education was scaling down its plans for education renewal sites and that the bilingual education program and the dropout prevention program would not be included in the education renewal site concept. The Commissioner of Education specifically stated that only about 20 to 30 renewal sites would be made fully operational. I ask unanimous consent that the Commissioner's letter of January 7, 1972, be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., January 7, 1972.

Hon. CLAIBORNE PELL,
Chairman, Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further response to your letters of November 3 and December 13 and 20 and our conversation of December 10 concerning the plans of the Office of Education to reform the administration of certain discretionary programs through the establishment of Educational Renewal Sites. I believe we are very close to agreement on this subject, and that it is only necessary to clarify a few basic points.

One issue is fundamental in our concept of the educational renewal site—it must be responsive to the needs and desires of States and local school districts. No district would be required to administer educational programs under the renewal site concept. Participation would be entirely voluntary and would be undertaken in consultation with the States as well as the applicant districts.

As we discussed in our December 10 meeting, the Office of Education intends to implement this strategy on a limited, pilot basis. We would hope to provide planning funds for the development of possible renewal sites in all States that wish to participate, beginning in Fiscal Year 1973. However, our current estimate is that only about 20–30 pilot local educational renewal sites would actually be fully operational by the end of that fiscal year.

As suggested in your letter of December 13, we have reconsidered the legislative authorities under which educational renewal would be carried out. It is our present intention to utilize appropriations under the Commissioner's discretionary program of Title III of the Elementary and Secondary Education Act, Part D of the Education Professions Development Act (Title V of the Higher Education Act of 1965), and the Cooperative Research Act. Of course, school districts receiving funds under other Federal programs would be free to carry out the purposes of those programs in the context of the educational renewal site approach.

I would like to reemphasize the important place this approach has in my plans to invigorate the Office of Education and make it a useful instrument of reform in American education. I am pleased that you share my commitment to innovation and change in education. You may be assured that we will keep you and your Committee fully informed of our progress in developing and perfecting the renewal approach.

Sincerely,

S. P. MARLAND, JR.,
U.S. Commissioner of Education.

Mr. PELL. About the middle of January, the staff of Senator JOSEPH M. MONTOYA made available to my office a letter from the Commissioner of Education which was not consistent with the Commissioner of Education's letter to me of January 7, 1972, as it related to bilingual education. I became further concerned. For it appeared that the Commissioner of Education was not taking my suggestion that further action on renewal site programs be deferred. Furthermore, when the budget for fiscal year 1973 was submitted, the Appendix to the Budget, page 443, proposed an education renewal program to be acted on by the Appropriations Committee which was entirely inconsistent with that outlined for me by the Commissioner of Education.

The continued investigation by the staff of the Subcommittee on Education revealed that the Commissioner's subordinates were explaining the renewal site project in a manner inconsistent with the Commissioner's letter to me of January 7, 1972. A telegram dated January 21, 1972, from Dr. Don Davies, Acting Deputy Commissioner for Development of the Office of Education, and Dr. William Smith, Acting Associate Commissioner for Educational Personnel Development of the Office of Education, informed State educational agencies that there would be about 60 educational renewal sites rather than 20 to 30, as the Commissioner of Education stated. On January 21, at a meeting with representatives of the Council of Great Cities Schools, representatives of the Commissioner of Education indicated that both bilingual education and dropout prevention would be included in the renewal sites project. On that same day, January 21, 1972, the Office of Education set as the final application date of renewal sites, February 14, 1972. These events of January 21, 1972, contradicted three important points of the Commissioner of Education's letter of January 7, 1972 to me: First, the number of sites; second, the inclusion of bilingual education and dropout prevention programs; and third, and most importantly, the Commissioner of Education's statement that the Office of Education would follow congressional intent. On this latter point, by setting closing dates of applications, the Office of Education violated those provisions of title III of the Elementary and Secondary Education Act which specify that application dates be set by regulations published in the Federal Register. Also involved was a violation of section 421 of the General Education Provisions Act, which requires that all regulations be published in the Federal Register 30 days prior to their effective date.

On January 27, 1972, I again wrote the Commissioner of Education asking him to defer further action on the renewal site project, and I ask unanimous consent that my letter of January 27, 1972, be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., January 27, 1972.

Hon. SIDNEY P. MARLAND, JR.,
U.S. Commissioner of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. COMMISSIONER: Thank you for your letter of January 7 relating to education renewal sites. I am most appreciative of the dialogue which we have been able to create on this subject. I had hoped that we could have resolved the problems raised by the education renewal site program by communications between the Office of Education and the Education Subcommittee. However, your letter of the 7th, and more importantly, the recently submitted budget raise further questions which work again the resolution of the issues.

In your letter dated January 7, you have indicated a scaled-down proposal. However, that letter does not deal with the final disposition of the bilingual education program, nor with the fundamental question of activities for which Federal funds will be spent. The submitted budget lists certain programs under "education renewal" about which no mention has previously been made. In addition, the appropriateness of initiating a program without legislation or regulations or guidelines is subject to questions of a scope which I, as Chairman of the Education Subcommittee, cannot pass upon without consultation with my fellow Senators and with our colleagues in the House of Representatives.

Therefore, I would hope that you would defer any further action in implementing this proposal until such time as this confusion may be properly disposed of. My staff informs me that the Department has indicated a desire to circulate your letter dated January 7 as evidence of a resolution of any differences which may have arisen. You may circulate that letter with this response. However, I would think that it would be appropriate to include as well all previous letters and communications on the subject in order that further confusion may be avoided.

Ever sincerely,

CLAIBORNE PELL.

Mr. PELL. The Commissioner responded on February 10, 1972, with a further explanation of what was intended, but gave no indication of plans to defer further action. I ask unanimous consent that the Commissioner's letter of February 10, 1972, be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., February 10, 1972.

Hon. CLAIBORNE PELL,
Chairman, Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR PELL: Thank you for your letter of January 27 expressing your concern with the plans of the Office of Education for carrying out an educational renewal strategy, as reflected in our prior correspondence and in the President's Budget request for Fiscal Year 1973.

I agree that it is highly unfortunate that confusion continues concerning our renewal plans. Perhaps much of the confusion arises because the Office of Education has used the term "renewal" to refer to several different things. The term has been used in at least four different contexts:

1. *The effort I am making to instill in all appropriate OE activities a sense of the need*

actively to assist local schools to serve their students in a more effective manner. In this sense, the term can encompass everything the Office does.

2. *The Educational Renewal appropriation.* As you know, for purposes of budget presentation, the Office of Education's programs are grouped in several appropriations. One of these appropriations for Fiscal Year 1973 is called "Educational Renewal." This appropriation contains most of the Office's discretionary programs at the elementary and secondary level—only a limited number of which would be involved in Educational Renewal Sites. Our earlier discussions concerning renewal have been limited to our plans for such sites.

Most of the programs included in the "Educational Renewal" appropriation are *not* a part of the "educational renewal site" approach. They are administered by various Deputy Commissioners. The appropriation also includes for Fiscal Year 1973 some programs which we propose would be administered by the National Institute of Education, if Congress should create that agency. For your information, I am enclosing a list of all programs included under the "Educational Renewal" appropriation and their placement within the Office.

3. *The Deputy Commissioner for Renewal.* One of my Deputies, Don Davies, has this title. He is responsible for the administration of several OE programs, such as the statistics program, educational technology (e.g. Sesame Street), and other programs, which are unrelated to educational renewal site activities. He also administers those programs which will form the basis for educational renewal sites.

4. *Educational Renewal Sites.* As noted in my earlier letters, the educational renewal site concept is a new approach to using some of the funds authorized under existing legislation. The Appendix to the Budget shows an item for "Site personnel development," drawing funds from Part D of the Education Professions Development Act. Some of these funds may be used in Fiscal Year 1973 for educational renewal sites. Added to these funds will be funds from the discretionary portion of Title III of the Elementary and Secondary Education Act and from the Cooperative Research Act, as I stated in my letter to you of January 7. No other program will form the basic funding of Educational Renewal Sites.

If a school district is receiving funds under another Federal program—Bilingual Education, Drug Abuse Education, Dropout Prevention, or Vocational Education Research, for example—it will be free to include such programs in the activities conducted at the Educational Renewal Site. Such a decision would be solely that of the school district receiving the funds. As the Appendix to the Budget states, "local school districts *will be able* to submit a single application for a comprehensive grant." [Emphasis added.] No school district will be *required* to do so, and no preference in these programs will be given to a district that chooses to submit a comprehensive application. All programs listed in the Appendix under the heading of "Educational Renewal," except for those included in "Site personnel development," will continue to be administered as discrete entities, pursuant to the terms of their authorizing legislation. Further, several other programs included within the "Site personnel development" appropriation will also continue to be funded as discrete entities, since they involve the continuation of existing OE commitments to grantees. These include the Career Opportunities and Urban Rural programs.

Since each local school district will be undertaking educational renewal in areas of its greatest need, I cannot enumerate all the activities which might be undertaken in a renewal site. However, I am enclosing a paper which discusses activities appropriate to an educational renewal site which should serve to illustrate how a simple site might work.

In a more perfect world, our use of terminology might be less confusing. However, I hope that I have been able to clarify that "educational renewal sites" are one piece of a much larger effort and are by no means equivalent either to the Educational Renewal appropriation or to the jurisdiction of the Deputy Commissioner for Renewal.

Your letter also expresses concern that the Renewal Site approach will be conducted without adequate regulations or guidelines. Let me assure you that we fully intend to develop regulations and guidelines for this approach, reflecting the various provisions of the three underlying legislative authorities, before the Renewal Site program is begun in Fiscal Year 1973. I agree with you that local educational agencies seeking Federal assistance for educational renewal sites must have comprehensive guidelines in order to enable them to prepare their applications and conduct their activities according to the law and Congressional intent.

I would like to reiterate that the Office of Education is *not* establishing a new program called "educational renewal sites." The renewal site approach is a *process*, not a *program*. We are asking States and local school districts if they would wish to use funds authorized under existing programs in accordance with the purposes of that legislation, but concentrated in some small number of schools within a school district, through a step-by-step process of assessing needs, determining programs to meet those needs, and involving the parents, teachers, and community in the process. The renewal site approach is intended to be a more effective way of using resources, not a new program.

Finally, your letter inquires about the final disposition of the bilingual education program. The Bilingual Education Program will be elevated to the status of a Division. This will be the first time that the program has achieved Division status since its enactment. I would like to assure you that its integrity will be preserved in the new organizational structure. Indeed, the change should enhance the program's stature in the country, reflecting the high priority the Office of Education places on bilingual education.

I hope that this letter has been responsive to your concerns about our plans for Educational Renewal. I feel that it is important to maintain a dialogue about our plans, as they develop. If you have any further concerns or questions, please feel free to call on me.

Sincerely,

S. P. MARLAND, JR.,
U.S. Commissioner of Education.

CURRENT LOCATION OF ACTIVITIES INCLUDED IN EDUCATIONAL RENEWAL APPROPRIATION

Part D, EPDA, Deputy Comm. for Renewal.

Bilingual Education, Deputy Comm. for Renewal.

Dropout Prevention, Deputy Comm. for Renewal.

Personnel Development, Deputy Comm. for Renewal.

Follow Through, Deputy Comm. for School Systems.

Educational Technology, Deputy Comm. for Renewal.

Drug Abuse Education, Deputy Comm. for Renewal.

Right to Read, Exec. Deputy Commissioner.

Career Education Model, Deputy Comm. for Renewal.

Environmental Education, Deputy Comm. for Renewal.

Library Demonstrations, Deputy Comm. for Higher Educ.

Other Priority Programs, Deputy Comm. for Renewal.

Data Systems Improvement, Deputy Comm. for Renewal.

Product Identification and Dissemination, Deputy Comm. for Renewal.

Planning and Evaluation, Deputy Comm. for Management.

THE EDUCATIONAL RENEWAL SITE—A BRIEF DESCRIPTION

This is a brief description, for illustrative purposes, of an Educational Renewal Site under the proposed renewal strategy of the Office of Education. It has three sections: (1) a description of the organization of the Educational Renewal Site, (2) a description of possible functional and program components and activities at the Site, and (3) a statement about the process of renewal.

ORGANIZATION

The Educational Renewal Site will normally be selected as a grantee by the Office of Education from among nominations made by its State Education Agency, and will be comprised of a cluster of schools (elementary, junior and senior high) varying in number from approximately 8 to 20 according to the characteristics of the communities served. It could be a portion of a large urban school district, an entire rural town, or several rural villages combined. The number of pupils involved could vary similarly. In order to merit selection the Site will have to meet certain criteria of need, readiness, low-income, etc., established by the Office of Education and the State education agencies in accordance with enabling legislation.

The Site will have an Educational Renewal Council which shall provide project direction, including needs assessment, planning, and project implementation and evaluation, within the framework of existing State and local school board regulations. The Council will be created by the local school board, and will be representative of the school community, including, for example, the staff of participating schools and universities, parents of the community served by the participating schools and other appropriate segments of the school district. Final authority and responsibility for the operation of the project funded rests wtih the local school board.

FUNCTIONAL ELEMENTS

Fundamental to the Site's activities and effectiveness will be a comprehensive assessment of the needs of students and the educational personnel that serve them, a determination of available resources—and priorities—local, State, and Federal—and the development of a comprehensive plan to meet those needs.

As determined by the local assessment of need, there may be a center at the Site serving as a primary resource for educational personnel in the Site schools. In a location separate from the schools, but within or near the Site, it could serve as a mobilization point for technical assistance, training and retraining, evaluation expertise, dissemination of information about products of research and development, and other resources needed to meet the needs of the schools. In any case, the center would be administered by the Site director under the Educational Renewal Site Council.

The kinds of activities at an Educational Renewal Site will be determined by its assessment and continuous reassessment of need, and by its Educational Renewal Site Council's growing awareness of the reasons their schools are not fully effective. The Council will have access to extensive resources for orienting itself to educational issues.

Program components for pupils and appropriate training for teachers and others may vary greatly from Site to Site. The Educational Renewal Site Council may make use of colleges and universities to help with training, which will usually be conducted in

the Site schools. The Educational Renewal Site Council may also call upon business, industry and other community agencies for help. The Site schools may be utilized as preservice training centers for prospective teachers and paraprofessionals. All Office of Education renewal site funds will be used for developmental purposes rather than to increase permanent per pupil expenditures. OE renewal funds will be phased out after a period of approximately five years, as negotiated with the school board. Among others, these program components might be supported:

Orientation of parents to the 24-hour nature of education, and the extension of the schooling process to the homes.

Maintaining 10-hour daily open schools as learning and social centers for parents and pupils alike.

Extensive use of parents as visitors and paraprofesionals in the schools.

Emphasis on reading: high school pupils teaching elementary school pupils, etc.

Capability for meeting needs of "exceptional" children, particularly those who have learning disabilities.

THE PROCESS OF RENEWAL

Renewal is viewed as a continuous self-sustaining process of educational change and decision-making to cope with unsatisfactory as well as constantly changing conditions in the schools. Its ultimate objective is to provide in the Educational Renewal Site schools—and later spread throughout each State—education which is responsive to the needs of the pupils and which reflects the concerns of their parents. It should improve significantly the school performance of those children.

What goes on at an Educational Renewal Site will be different from what has been done heretofore with Office of Education monies, for these reasons:

By concentrating Federal, State, local and private resources, it will simplify the process and lessen duplication and fragmentation of efforts.

By involving the States at every point in the process, the likelihood of combining other resources with those available from the Office for Development and the likelihood of spreading renewal throughout the State are greatly increased.

By restricting the effort to a limited number of schools in a large urban district, for example, and by utilizing an Educational Renewal Site Council which strongly represents that particular area, it will be possible to build and increase the sense of community at the Educational Renewal Site and draw on the parents, and others for their share of the task of educating their children.

Mr. PELL. Mr. President, I have done everything possible in my capacity as chairman of the Subcommittee on Education to handle this situation without legislation. However, the activities of the Office of Education, giving one impression to me, another to Senator MONTOYA a third to school officials indicates that legislation on this subject may be necessary. Generally, I am opposed to legislation of the type the Senator from California is proposing, because I think these things are best handled by negotiation between honorable men. This is an exceptional situation and, therefore, I would recommend to the Senate that the amendment of the senior Senator from California (Mr. CRANSTON) be accepted. I might add that if I were not floor manager of this bill, I would be tempted to offer the amendment of the Senator from California. I would hope that if the Senate accepts this amendment, the Commissioner of Education would be prompted to take the concern of the Congress a little more seriously, and that the officials in the Office of Education have some regard for the intent of the Congress when it enacted a program. It is possible that between now and when the conferees on this bill make a decision on the Cranston amendment, some sort of agreement can be reached about the future of the Office of Education with regard to education renewal sites. Nevertheless, in order to insure that present programs are administered as the Congress intended, I recommend adoption of the Cranston amendment.

The PRESIDING OFFICER. Does the Senator from Colorado wish to be recognized?

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. I yield myself 10 minutes.

Mr. President, this amendment comes as a surprise to me. Without intending to attack either the amendment or the Senator from California, I wish he had consulted me, as the ranking member of the Education Subcommittee, prior to offering it. I do know that he had a discussion with the Secretary and that the Secretary, on being informed of certain situations, indicated that if they could arrive at an agreement by letter, the Senator from California, as I understand it, would not push it in conference and that we would be able to move forward on that basis.

Since that time, however, a reading of the amendment, which was printed sometime last week—I believe last Wednesday—so far as the printer is concerned, but never submitted, indicates that there is a good deal more in it than had been anticipated either by the staff or by the Secretary. This makes it very difficult.

Perhaps what I should do is to start in a somewhat different way. This all arose, as I understand it, because the Commissioner of Education and the Secretary of HEW decided that the programs which have been put into effect up to date under title I and under many other titles simply did not pinpoint enough funds in the schools which had educational quality not as good as other schools in order to bring those inferior schools up to the level of the better ones. So that they started considering a program called Renewal, under which they would mobilize the resources of HEW which are available to them in a discretionary way and then pinpoint a fairly substantial sum of money into certain preselected school areas as pilot programs, to see whether this infusion of technical assistance, training programs, new funding, and a variety of other efforts would upgrade the quality of that school.

I discussed this at some length with Commissioner Marland several weeks ago. At that time, he indicated that some people, including Senator CRANSTON, had expressed concern because they were afraid that money which otherwise would go into specific contractual programs, such as bilingual education and others, would be funneled out of those programs into the so-called renewal concept and thereby not be promoted to the degree that they felt they should be.

There was consideration of having committee hearings to determine whether we ought to authorize the renewal program. Obviously, no committee hearings were called, and no committee discussion has taken place of this particular series of programs up to this date.

This amendment, which deals with this matter—I hope the Senator from California will correct me if I am wrong—not only refers to the renewal program and is designed, as I understand it, to authorize such a program, but also, for the first time, in a legislative way, adds on a total Bureau of Elementary and Secondary Education. Not only does it do that, but also, it goes so far as to specify what the compensation shall be of each person within the administrative function of the Bureau. Up to date, this obviously has not been considered by the Committee on Post Office and Civil Service.

Second, what it does is to decrease vastly the flexibility within the Office of Education.

I say to the Senator from California that I do not think there would be any particular difficulty in our being able to arrive at an agreement, provided that the section dealing with the Bureau of Elementary and Secondary Education was deleted from this program.

I am concerned that if it is not, we will have a really difficult problem in trying to put it into effect and thereby arouse the hackles, if we may say so, of most of the administrators of HEW; so that, if adopted, when we got to conference, we would find the whole group alined against the entire amendment.

It seems to me that this is not going to accomplish the objective the Senator from California is seeking, which is to strengthen bilingual education wherever possible.

As the Senator from California may or may not recall, I happened to be a cosponsor of this particular bilingual study program and effort program for schools with the former Senator from Texas, Mr. Yarborough, when it was first introduced. I have worked at it very hard. We have need for it in my State. In fact, the whole of the Southwest States need it, as well as California. It is one of the questions I brought up when I discussed this with Commissioner Marland. He said that obviously wherever the pilot program would authorize this or would indicate its need, we are going to be using bilingual education as part of the program for renewal because what we are looking for is quality. In the particular pilot project we are talking about, we want to increase the quality of education which is not only

available but which is absorbed by the students.

Let us take as an example a school with a large number of minorities—Puerto Ricans—in New York—using bilingual education there, or going to California where there are a larger number of Spanish-speaking students, as we will be using the bilingual education system there as well, and I have been supporting it all the way through. But I do not see why, in the interest of having to do something of that kind in an effort to support them, we have to set up a whole new administrative agency within the HEW by legislation, trying to show them what the administrative format should be from committee. It does not make much sense to me.

I would say, therefore, while we are trying to get further word from downtown as to what their position is, that this would be more easily worked out if the Senator from California would simply delete what is now designated as either (b) or (c), starting on page 6 of the printed version of his proposed amendment.

Mr. President, I reserve the remainder of my time.

Mr. CRANSTON. Mr. Prsident, I well understand and am thoroughly acquainted with the deep interest of the Senator from Colorado in bilingual education. I know of his commitment to and his actions on behalf of that program. We share that interest. We have worked on behalf of that program. We share that interest. We have worked closely together on many matters. The only reason the Senator from Colorado was not consulted on this particular matter was that the Senator from New York (Mr. JAVITS), the ranking majority member of the full committee, was carrying the burden for the minority on the bill. We had fully briefed his staff on it. Senator JAVITS was represented by the minority staff director of the committee in the meeting with Secretary Richardson this morning. I am convinced at this point that the only way we can ensure that bilingual education achieves the status and impetus it deserves is by statute—by doing what we propose to do in the pending amendment.

Actually, there are other new bureaus in the bill, some of them, I believe, with the Senator's active support, such as the Occupational Educational Bureau and the Indian Education Bureau. Actually, the Bureau of Elementary and Secondary Education is already in existence. This simply legislates it as it now is and includes bilingual education within it.

I fully understand the desire of the Secretary not to have these matters determined legislatively and I would totally agree with his desire to do it otherwise, if we could achieve it otherwise.

As I stated in my opening remarks, when the Senator from Colorado was unavoidably absent from the floor, we agreed this morning that if we could reach full agreement on how to proceed to meet the administration's objections, and also the objections stated by many Members of the Senate, and if the assurances we receive from the Secretary satisfy the objections of the Senators expressly interested in this matter to their satisfaction, I would not press in conference the proposed amendment.

Mr. DOMINICK. I am sorry I did not hear what the Senator said.

Mr. CRANSTON. Basically, to restate part of what I just said, the only way to give bilingual education sufficient status and priority by statute, to do what is done here. The bill contains some new bureaus that are in it, as I understand it, with the Senator's active support, such as the Occupational Educational Bureau and the Indian Education Bureau. The Bureau of Elementary and Secondary Education is already in existence. The amendment is not creating a brand new bureau, but is providing a firm statutory footing for the bilingual program under it.

At the meeting this morning with the Secretary, we agreed that if we could come to an understanding on how to meet his desires, and also to meet the concerns of Senators expressly concerned about this matter, and if the assurances were satisfactory to those Senators who have expressed concern over this matter, I would not press this amendment in conference. I believe it would then be possible to drop the amendment and achieve what all of us would like to achieve without statutory action.

The principal issue is, as the Senator well knows—and I specifically note that this is one of his deep concerns—to retain congressional prerogative and insure that congressional policy is followed, particularly in the use of money after authorization actions are taken by the authorizing committee. It is very plain that despite perhaps the best of intentions, that has not been the case in matters we are here concerned with.

There have been conflicting and very confusing actions taken and statements made by people at the various HEW levels. We have been trying for the past few months to work this out, without legislative action. But we found it impossible to do that until matters were precipitated by the suggestion that I introduce this amendment which, perhaps, may give us the opportunity to resolve the matter without final legislative action. But the legislative problem, as the Senator from Colorado knows, is that we have gotten down to the point today where either we had to take this action or no action would be taken at all, since this will very likely be the final day on any amendments, other than busing, to this bill.

So we have little choice. The situation we face today is really one precipitated by actions of the executive branch which were contrary to the intent of Congress.

Mr. DOMINICK. Mr. President, I yield myself another 5 minutes, if the Senator is through.

Mr. CRANSTON. Yes, I have finished my comments.

Mr. DOMINICK. Mr. President, it is my understanding that we are going to have a debate with the Senator from Arkansas (Mr. FULBRIGHT) tomorrow on my own foreign service scholarship program and that is all we will be doing tomorrow, other than on the busing. I suspect, although I do not know whether, under the unanimous-consent agreement, we are barred from any other kind of amendments.

Mr. PELL. Mr. President, may I state to the Senator that my recollection of the unanimous-consent agreement is that four Senators are protected. However, other amendments to the bill will lie after we dispose of amendments to title IX.

Mr. DOMINICK. A parliamentary inquiry, Mr. President. I understand that the distinguished Senator from Tennessee (Mr. BAKER) reserves the right to amend any other section.

Mr. PELL. That right was given to him.

Mr. BAKER. Mr. President——

The PRESIDING OFFICER (Mr. MCINTYRE). The last part of the agreement reads as follows:

Provided further that nothing shall foreclose amendments to any section of the committee substitute at any time on or after Tuesday, and that a motion to table shall be applicable to all amendments.

Mr. DOMINICK. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMINICK. Mr. President, that would indicate that after Tuesday we could offer amendments to any other section in the bill in any form we wanted. Is that correct?

The PRESIDING OFFICER. If the Senator involved obtains the floor and is recognized for that purpose, the Senator from Colorado is correct.

Mr. PELL. Mr. President, as the manager of the bill, that was my understanding of the agreement we reached. The agreement reached was that there were four Senators with specific proposals that were being protected, with the final vote on Wednesday, at 2 o'clock.

Mr. BAKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Mr. President, is the parliamentary situation such that no so-called busing amendments will be considered on today and that on tomorrow and Wednesday, prior to 2 o'clock and final passage, according to the previous order, busing and similar amendments will be considered, except that Senators BAKER, CHILES, GAMBRELL, and FULBRIGHT are accorded the specific opportunity, notwithstanding that we may not have disposed of section 901, to offer other amendments to other sections of the bill as amended.

The PRESIDING OFFICER. The Senator from Tennessee is correct.

Mr. BAKER. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Mr. President, is it correct that no other Senators except those named may offer an amendment, other than to section 901, after noon on Tuesday and prior to final passage?

Mr. DOMINICK. Mr. President, I ask unanimous consent that the time for parliamentary inquiries may not be con-

sidered within the time limitation established on this amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will read the agreement.

The assistant legislative clerk read as follows:

Ordered, That further action on all the pending amendments to sec. 901 of the committee substitute for S. 659 be deferred until Tuesday, Feb. 29, 1972.

Ordered further, That on Monday, Feb. 28, 1972, during the further consideration of S. 659, only amendments not dealing with the desegregation of schools or the transportation of pupils to schools on the basis of race, religion, color or national origin will be in order and that time on such amendments to any section of the committee substitute will be limited to 60 minutes to be equally divided and controlled as provided in the agreement of Feb. 22, 1972, on S. 659.

Provided further, That the Senators from Tennessee (Mr. Baker), from Arkansas (Mr. Fulbright), from Florida (Mr. Childs), and from Georgia (Mr. Gambrell) shall have the opportunity on or after Tuesday to offer an amendment on any matter to any section of the committee substitute with the time on the Fulbright amendment to be limited to 2 hours, and on the Childs, Gambrell and Baker amendments to 40 minutes each to be equally divided and controlled under the same conditions as prescribed in the agreement of February 22. Debate on all other amendments on Tuesday and Wednesday to the committee substitute shall be limited to 30 minutes each with the time to be equally divided and controlled as prescribed in the agreement of February 22; and provided further that nothing shall foreclose amendments to any section of the committee substitute at any time on or after Tuesday, and that a motion to table shall be applicable to all amendments.

Mr. BAKER. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Mr. President, after hearing the unanimous-consent agreement read, I frankly was not aware of the last sentence that was just read, to the effect that nothing in this order would prevent the offering of amendments to any other section of the committee substitute.

In that view, is it accurate to say that beginning at Tuesday noon, only the four Senators mentioned, but also any other Senator can offer an amendment to any section of the committee substitute, notwithstanding its contents and regardless of whether or not the Senate has disposed of section 901 or not.

The PRESIDING OFFICER. It is the understanding of the Chair that the pending amendments to section 901 would have to be disposed of beginning at noon on Tuesday, after which any other amendments would be in order.

Mr. BAKER. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Mr. President, to make sure that I clearly understand the distinction between the rights of the four Senators named and the rights of any Senators not named in the unanimous-consent agreement, beginning at Tuesday, at any time within this period, regardless of whether or not section 901 has been disposed of or not, those four Senators named may offer amendments to other sections of the bill.

The PRESIDING OFFICER. The Chair understands that beginning at 12 o'clock on Tuesday, we will begin to dispose of the amendments that are pending to section 901. After they are disposed of, we come back to the four Senators whose time is guaranteed as stated in the unanimous-consent agreement; and then the committee substitute will be open to amendments generally and the time limitation is 30 minutes each.

Mr. BAKER. Mr. President, to make sure that I fully understand that particular portion of the order to which I thought I had agreed, I propound this parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Mr. President, is it the parliamentary situation that beginning at noon on Tuesday, we will consider amendments to section 901?

The PRESIDING OFFICER. The Senator is correct; that is when we begin voting on them if they have not been disposed of at that time.

Mr. BAKER. Controlled time against the amendments will start running at 12 o'clock Tuesday.

The PRESIDING OFFICER. I read further from the agreement:

Provided further, That at 12 o'clock noon on Tuesday, Feb. 29, 1972, if the pending Allen amendment and all other amendments now pending thereto and to sec. 901 have not been disposed of, the Senate shall proceed to vote on these amendments without any other intervening perfecting or substitute amendments to the Allen amendment or the language to be striken out thereby; and that just prior to the final vote on the disposition of sec. 901, further debate for a period of 30 minutes shall be available, with the time to be equally divided and controlled as prescribed in the agreement of February 22.

Mr. BAKER. Mr. President, is it the ruling of the Chair that no amendments to section 901 are in order after Tuesday?

The PRESIDING OFFICER. They are not in order until the amendments pending have been disposed of.

Mr. BAKER. But they are in order after that time.

The PRESIDING OFFICER. That inquiry is impossible to answer at this time. That depends on what disposition is made of the pending amendments.

Mr. BAKER. Mr. President, I have one last parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Mr. President, is it the ruling of the Chair that section 901 perforce must be disposed of finally after the last vote is taken on any pending amendment to section 901 as it now exists?

The PRESIDING OFFICER. The Senator will have to restate that inquiry for the Parliamentarian.

Mr. BAKER. Mr. President, as basis for the parliamentary inquiry is that if it is the ruling of the Chair that we will have final disposition of section 901 by a series of votes to pending amendments beginning at noon on Tuesday, is it the further ruling of the Chair that no other amendments are in order, or in the alternative is it the ruling of the Chair that we will proceed to final disposition of section 901 as soon as the pending amendments are disposed of beginning at noon on Tuesday?

The PRESIDING OFFICER. Not necessarily. We have to dispose of the amendments that I mentioned in the agreement beginning at 12 o'clock; then, after they have been disposed of the question of another amendment would depend on what action had been taken by the Senate on the four pending amendments.

Mr. BAKER. The point being, if that is the case, if it is possible there are other amendments to section 901, we revert to the question: Are any other amendments to other sections of the bill available to other Members of the Senate except the four Senators named in the order, prior to disposition of section 901?

The PRESIDING OFFICER. It depends greatly on what develops from the four amendments we will be disposing of. Amendments to other parts of the committee amendment would be in order.

Mr. PELL. Would it not depend on whether or not the four amendments and the work on section 901 had been completed? If it had been completed we could move on; if it had not been completed other amendments could not be introduced to the bill. The four amendments have to be disposed of first.

The PRESIDING OFFICER. Depending on the amendment offered.

Who yields time?

Mr. BAKER. Mr. President, one further parliamentary inquiry before controlled time begins again.

Referring to the order, which I read to be that the four Senators named shall have the opportunity on or after Wednesday to offer an amendment to sections other than section 901, is there any jeopardy to the right of those four Senators to offer amendments to sections other than section 901 if we have not completed disposition of section 901 prior to any time before final action on Wednesday?

The PRESIDING OFFICER. It is my understanding that these four amendments do not go necessarily to section 901.

Mr. BAKER. They may be taken up on either Tuesday or Wednesday?

The PRESIDING OFFICER. That is correct.

Mr. DOMINICK. Mr. President, a further parliamentary inquiry before we yield time. It is my understanding from reading this agreement—and I must say I am somewhat confused with regard to it—and I invite the attention of the Senator from Tennessee to this proposal—that if the amendments of the Senator from Tennessee (Mr. BAKER) and others dealing with section 901 have not been disposed of by noon tomorrow we start voting. Is that correct?

The PRESIDING OFFICER. We will start to vote on the pending amendments to section 901 at 12 o'clock noon.

Mr. DOMINICK. Going back to controlled time, I hope everyone is as clear

on this matter as I am. That means I do not know what is going on. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. DOMINICK. Mr. President, I ask the attention and consideration of the Senator from California and the Senator from Rhode Island in connection with certain specific provisions which are in this amendment.

As I understand it, the amendment states that the sums appropriated, the amounts available, shall not exceed $25 million.

Mr. CRANSTON. Where is the Senator reading?

Mr. DOMINICK. I am reading from page 2.

Mr. CRANSTON. I thank the Senator.

Mr. DOMINICK. Then, I go further down, to (c)(1)(A) where it states:

Except in the case of a law which (i) authorizes appropriations for carrying out, or controls the administration of, an applicable program or (ii) is enacted in express limitation of the provisions of this paragraph, no provision of any law shall be construed to authorize the consolidation of any applicable program with any other program.

Then, the amendment goes on and there is a definition of consolidation which results in the "comingling of funds."

I gather what the Senator is saying in this amendment, and I am asking for guidance, is that they cannot tax x dollars from one program and x dollars from another program and lump it in and call it the renewal program; that what has to be done is to set up a whole set of new administrative people and take that money and say, "Very well. That is bilingual, this is special quality education, and then still another is for teacher training, another going into community homes," so that you have technicians and supervisors in every program instead of putting it together into a package and going to a school to do some good with it. That bothers me very much.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. DOMINICK. I invite, on the Senator's time, any reply he wishes to give.

Mr. CRANSTON. The problem which gave us concern was with respect to certain funds being transferred to the proposed education renewal sites. Adequate money has not been appropriated for programs we funded, such as Upward Bound, bilingual Talent Search, and special services for the disadvantaged, and we wish to make plain that there should be hearings and discussions, knowledge of what is being done, and an opportunity for the Congress to agree or disagree.

If the Senator will turn to page 7 of the amendment and look at paragraph (C)(i) and then clauses (I), (II), and (III) below, there is a provision stating that notwithstanding the paragraph to which the Senator has referred, there is authority to use funds available for the purposes identified as education renewal sites, which deals with the problem the Senator raised.

Mr. DOMINICK. I understand it deals only in part. It authorizes the use of funds from title I and title V of the General Education Provisions Act. I am not sure what that is. I think it is general training and technical assistance. Is that correct?

Mr. CRANSTON. And research.

Mr. DOMINICK. So the Senator is saying they cannot put in any money from a bilingual fund or other funds which are available specifically. In other words, a certain amount for these programs has been reserved, and it states they cannot put those funds in for the purpose of renewal unless they are called by their own names and have their own technicians running around the school.

Mr. CRANSTON. For them to do that would be inconsistent with the legislation we have enacted.

Mr. DOMINICK. No; I understand our legislation provides if we authorize and appropriate funds for bilingual education and use it for that purpose it will help education. They are still using that to help the education of people who cannot speak English. I do not see anything wrong with that.

Mr. CRANSTON. We have no assurance under the new procedure that that will happen. We have evidence in California that it is not happennig.

Mr. DOMINICK. We do not have a renewal program going yet. We are trying to get started. We have had tentative probes, but we have not really put it together.

Mr. CRANSTON. They have already announced applications for this and the guidelines they have given out do not cover the point the Senator and I seem to agree should be covered.

Mr. DOMINICK. I only agree this should be put in a package. If it is not we will have so many administrative oversights it will be an unfeasible program to start with. There will be more supervisors to start with and it will be like the poverty program where 75 percent goes to supervisors and 25 percent does any good for the people who need it.

Mr. CRANSTON. The procedure we are discussing would not preclude packaging. What we want is adequate assurance that there will be accountability legally for whatever is done with the funds, if they decide to proceed in these new directions, and we have not been given such assurances.

Mr. DOMINICK. It would seem to me, without trying to create more of an argument than we have already had, that any program that is going on this way is either going to be beneficial to the students in the area or is not going to be beneficial to the students in the area. If it is beneficial to all of them, for which an easy accounting can be taken, I do not care whether the money comes from the President's emergency fund, the bilingual fund, or anything else, because the purpose that the Senator and I both are trying to work toward is improving the quality of education. We are not going to get it, it seems to me, by simply setting up a bureaucratic structure which requires accounting and channeling funds through certain levels in order to determine whether those funds are to be used at all. That is what the whole problem with the program is.

Mr. PELL. Mr. President, on the time of the Senator from California (Mr. CRANSTON), let me say I share the concern of the Senator from Colorado, not being one who in the committee always favors this categorial approach. I favor a degree of amalgamation, although not to the extent he would like. But in this particular case there has been considerable upheaval and concern in the local communities which have seen signs that certain programs are having their emphasis changed, perhaps one portion of the program phased out and another portion increased.

Those of us who are particularly interested in the bilingual program, as I am in my own State, want to be sure that the same amount of money is spent and the same emphasis is continued.

My hunch would be, as I said in my statement, that if the amendment is accepted and the administration can assure the conferees, by the time of the conference, that all is in order and that the will of the Congress is being carried out, I then would not be a bit surprised if this amendment were dropped in conference.

The PRESIDING OFFICER. Who yields time?

Mr. PELL. Mr. President, I suggest the absence of a quorum, the time for which I ask be equally divided.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I ask at this time how much time is left to either side.

The PRESIDING OFFICER. The proponent has 12 minutes; and the opponent has 3 minutes.

Mr. DOMINICK. The opponent being me. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. PELL. At the moment.

Mr. DOMINICK. I hope it has more support.

I would hope that if time for a quorum call is to be taken out of my time, more time will be taken out of the proponents' time than mine.

The PRESIDING OFFICER. Who yields time?

Mr. CRANSTON. Mr. President, I have no objection to four-fifths of the time coming from my time, if the clerk can keep track of that.

I suggest the absence of a quorum, and ask unanimous consent that four-fifths of the time be charged to the proponents and one-fifth to the opponents.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the distinguished Senator from Washington (Mr. MAGNUSON) on the pending amendment.

The PRESIDING OFFICER. Without objection, the statement will be printed in the RECORD.

STATEMENT BY SENATOR MAGNUSON

As Chairman of the Senate Labor-HEW Appropriations Subcommittee, I must say that this proposed amendment establishing a statutory base with its own funding authority may go a long way toward solving some of the problems we have with the education renewal plan as presently proposed.

There is no doubt in my mind that the education renewal idea is a good one, and that it deserves our support. The main objection I have had is that the money presently will have to be withdrawn from existing discretionary programs in a way that could work to the disadvantage of many schools and school districts.

As I understand the Administration's proposal, this would mean that in my state of Washington we might, or we might not, be allocated one of the renewal sites which are proposed for the coming fiscal year. The fact is that elementary and secondary school districts throughout Washington and other states could lose the discretionary money which they are now receiving under various programs, such as Upward Bound, bilingual education, dropout prevention and Follow Through. These and other discretionary programs have been carefully designed by the Congress to meet particular needs which exist in schools throughout the states. To have the available funds withdrawn and concentrated in just a few school districts is not, it seems to me, necessarily in the best interests of the schools when viewed as a whole.

In this year when we are faced with proposals in the Administration's budget which would eliminate or reduce funds for several of the programs which provide benefits to schools and colleges generally, such as Title III of NDEA, the impacted areas program and Title VI of HEA, it seems to me that it would be especially unfortunate to withdraw the discretionary funds from their present recipients who are having such a tough struggle at the local level, so as to concentrate them in a very few sites. I feel that it will be far better to establish a statutory base for the program and then have the Administration ask for the necessary funding to do this new job properly. If my Subcommittee receives such a request, I know it will receive as sympathetic a hearing as may be possible.

For these reasons, Mr. President, I support the amendment and urge its passage.

Mr. PELL. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the distinguished Senator from New Mexico (Mr. MONTOYA) on the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR MONTOYA

I rise today in support of the Amendment to the Higher Education Act offered by the Distinguished Senator from California, Mr. Cranston, which I am pleased to join in sponsoring.

As an original sponsor of Bilingual Education, I have long been concerned with the method of implementation of this program by the Office of Education. My immediate concern, Mr. Chairman, is that funds allocated for Title VII are not being used for purposes for which they were designed.

It has come to the attention of myself and other members of this body that not all the funds specifically earmarked for Bilingual Education have been utilized for that purpose. No specific proof exists of the truth of these allegations. It is enough that apprehentions have been created, as to the eventual fate of Bilingual Education funds. It is imperative that we guarantee that no diversion of these funds is made. This is the goal that Senator Cranston and myself have pursued.

In order of preserve the integrity of Bilingual Education, he and I believe that it must be given divisional status.

I am aware, Mr. President, of the tentative agreement reached by Secretary Richardson and Senator Cranston to the effect that if an understanding is reached by the Office of Education and Senator Cranston which satisfies the concern over Bilingual Education, then the Amendment would not be pursued in a House and Senate Conference on this measure.

I fully concur in this agreement, and I am hopeful that Bilingual Education can be protected without legislative action. It must be made clear to the Office of Education, Mr. President, that unless legislative mandates relating to education are strictly followed, I will not hesitate to use the legislative machinery to ensure strict adherence to Congressional authority.

I urge the adoption of the Amendment offered by the Senator from California.

Mr. CRANSTON. I yield back the remainder of my time.

Mr. PELL. I yield the time in opposition to the Senator from Colorado.

Mr. DOMINICK. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. McINTYRE). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from California (Mr. CRANSTON).

The amendment was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 960. An act to designate the Sycamore Canyon Wilderness, Coconino, Kaibab, and Prescott National Forests, State of Arizona;

S. 2896. An act to amend chapter 83 of title 5, United States Code, relating to adopted child;

H.R. 2714. An act for the relief of Mrs. Kayo N. Carvell;

H.R. 2792. An act for the relief of Juanita Savedia Varela;

H.R. 3093. An act for the relief of Mrs. Crescencia Lyra Serna and her minor children, Maria Minde Fe Serna, Sally Garosa Serna, Gonzalo Garosa Serna, and James Garosa Serna;

H.R. 4319. An act for the relief of Josephine Dumpit;

H.R. 5179. An act for the relief of Soo Yong Kwak;

H.R. 6506. An act for the relief of Mrs. Hind Nicholas Chaber, Georgette Hanna Chaber, Jeanette Hanna Chaber, and Violette Hanna Chaber;

H.R. 6912. An act for the relief of William Lucas (also known as Vasilios Loukatis);

H.R. 7316. An act for the relief of Mrs. Norma McLeish;

H.R. 8540. An act for the relief of Eleonora G. Mpolakis;

H.R. 8699. An act to provide an Administrative Assistant to the Chief Justice of the United States;

H.R. 9180. An act to provide for the temporary assignment of a United States magistrate from one judicial district to another;

H.R. 11738. An act to amend title 10, United States Code, to authorize the Secretary of Defense to lend certain equipment and to provide transportation and other services to the Boy Scouts of America in connection with Boy Scout Jamborees, and for other purposes; and

S.J. Res. 189. Joint resolution to authorize the President to designate the period beginning March 26, 1972, as "National Week of Concern for Prisoners of War, Missing in Action" and to designate Sunday March 26, 1972, as national day of prayer for these Americans.

The message informed the Senate that, pursuant to the provisions of section 194, title 14, United States Code, the chairman of the Committee on Merchant Marine and Fisheries and appointed Mr. CLARK, Mr. LENNON, and Mr. GROVER, and members of the Board of Visitors to the U.S. Coast Guard Academy, and Mr. GARMATZ, ex officio member.

The message also informed the Senate that, pursuant to the provisions of Public Law 301, 78th Congress, the chairman of the Committee on Merchant Marine and Fisheries had appointed Mr. DOWNING, Mr. MURPHY of New York, and Mr. MOSHER, as members of the Board of Visitors to the U.S. Merchant Marine Academy, and Mr. GARMATZ, ex officio member.

EDUCATION AMENDMENTS OF 1972

The Senate continued with the consideration of the House amendment to S. 659, a bill to amend the Higher Education Act of 1965, the Vocational Educational Act of 1963, and related acts, and for other purposes.

The PRESIDING OFFICER. Who yields time?

Mr. PELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 946

Mr. CHILES. Mr. President, I call up my amendment No. 946.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. CHILES. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill add the following new title:

TITLE X—ELEMENTARY AND SECONDARY EDUCATION PRIZE SCHOOL PROGRAM

SHORT TITLE

SEC. 1001. This Act may be cited as the "Elementary and Secondary Education Prize School Act of 1972".

APPENDIX B

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

MAR 14 1972

BEST COPY AVAILABLE

Honorable John Brademas
House of Representatives
Washington, D.C.

MAR 15 1972

Dear John:

Thank you for your letter of February 10 concerning educational renewal. Your questions probe some basic issues. This type of dialogue can be particularly useful in illuminating those issues.

Your questions and my responses are:

1. Your early discussions of the educational renewal proposal suggested packaging the majority of discretionary categorical aid programs administered by the Office of Education. Can you make clear what effect you believe such a move would have on the leadership role in American education of the Office of Education?

   The educational renewal concept includes the close administrative coordination of three discretionary programs: Part D of EPDA; Section 306 of Title III, ESEA; and Career Education Model Installation under Title IV, ESEA. There will be a continuing need both for coordinated efforts such as this, and for individual categorical programs. Both will contribute to the Office of Education leadership role.

   If the Office of Education can achieve the goals for educational renewal--substantial increases in pupil performance, and the installation of a self-renewing approach to educational problems--in those schools most in need of improvement, those serving low-income families, then it will be fulfilling a high order of leadership. My confidence in the achievement of those goals is based on several factors, the combination of which is new for OE:

   a. The partnership approach. Federal, State and local agencies, colleges and universities, and communities will contribute their resources to the meeting of renewal site educational needs in a coordinated way.

b. The essentially inductive process involving those to be affected by the changes in defining the problems and solutions and in carrying the solutions out and evaluating them.

c. Concentration on the total school and on total school feeder systems, rather than focusing on any single project or program.

d. The emphasis on the substance of educational improvement, and on ways of delivering that substance to those places most in need of improvement. The local renewal sites will have available to them as they make decisions about their plans for educational improvement, information about both those innovations that have worked elsewhere and those products of research that promise solutions to their problems.

e. The relatively long-term commitment of support for renewal activities.

2. Can you describe the merits and demerits of those programs currently supported with discretionary funds which you now plan to terminate? Have all of these programs failed? If not, what is the future of those which are promising?

Present programs and projects to which OE has multi-year commitments will not be terminated until those commitments are completed. These include, for example, the Career Opportunities Program, the Urban/Rural School Development program, Educational Leadership, and others. Other programs such as Early Childhood and Training of Teacher Trainers in which the multi-year commitments have been fulfilled will lose their separate identities. The renewal effort takes into account and builds upon the experience of those more categorical programs, and elements of those programs may be included in renewal at the option of the local sites.

Two of the important things we have learned from those programs led directly to the renewal concept. First, changes in education must be anchored in some kind of institutional reform. The lasting effects of small categorical programs and projects, whether supported by the Office of Education, by foundations, or otherwise, are usually difficult to discern once the support

is withdrawn. Many of these projects are administered locally in a "vestibule" fashion and have no systematic way of influencing in any basic way the school districts, State departments of education, or colleges and universities responsible for them.

Second, while the narrower categorical approach does promote a recognition of national priorities, it does not always permit an effective response to legitimate local needs. Our experience is that those districts, such as Louisville, that have been able to package separate programs in some reasonably comprehensive way to respond to their needs have accomplished more in terms of useful reform than have those agencies that have administered projects in isolation from one another.

In sum, I am saying not that the separate categorical programs have been failures, but that, as administered in the past, they have not reached their full potential.

For example, I regard the Career Opportunities Program as generally successful. Yet it will be phased into renewal when the multi-year commitment is finished in another two years. We have learned a great deal about the training and use of paraprofessionals through COP, and we have developed an effective means for delivering technical assistance to those local districts and colleges involved in the program. Both that knowledge and the technical assistance to deliver it will be available to and used by the renewal sites but in a way that best responds to their needs rather than under the prescriptive Federal guidelines that now characterize that program.

3. One of the reasons for enactment of categorical aid programs is that many significant constituencies found State and local governments unresponsive to important national needs. What evidence is there that the procedures you now propose for selection of education renewal sites, as distinguished from either: (a) direct application and Federal selection and/or (b) continuing discretionary categorical programs, will not mean a relapse into unresponsiveness?

National priorities can and will be served through the renewal concept. For example, the renewal site part of that concept

is directed, as a matter of national priority, to those schools and school districts serving high concentrations of low-income people. Within that population special attention will be given, as a result of regulations and guidelines, to the educational needs of handicapped children, another high national priority.

In the Career Opportunities Program, and Urban/Rural School Development we worked with the States in the selection of sites in much the same way renewal site selection will work. We found this relationship helpful rather than hindering in targeting those resources to areas of greatest need. Indeed, I have more confidence in that procedure than in the traditional "sweepstakes" approach used in the past in which expertise in writing the grant proposal assumed an inflated importance. The new procedure gives the Office of Education and the States a certain accountability for the quality of the local renewal efforts in the sense that, once the sites are selected on the basis of need, the former agencies assume a responsibility to furnish sufficient technical assistance to those sites to assure a quality product.

The issue of responsiveness has two sides, both of which are important. States and localities may in fact be unresponsive to national needs on occasion. On the other hand, Federal categorial programs may be unresponsive to legitimate local needs. I speak particularly of the distortions of local effort those programs may bring about.

For example, a thorough assessment of the needs of a group of schools serving low-income populations might point up the most pressing of those needs to be a restructuring of the ways in which educational staff is used in those schools, a reassignment and retraining of administrative staff, the recruitment and training of specialized staff in reading and mathematics, and the recruitment and training of parents to serve as aides. In the judgment of the local district, taking into account the advice of persons competent in needs assessment, this pattern of resource allocation will bring about lasting improvement in the education of children in those schools.

The intervention of a categorical program for, say, early childhood personnel training might, in this situation, cause a diversion of resources and energies that may add to the number of people trained in early childhood thus satisfying a national priority. But it might, in fact, be counter-productive in meeting the real needs for educational reform, and thus, in the long term, be self defeating.

This is not simply theoretical. Let me refer to experience with two categorical programs--Teacher Corps and Career Opportunities. Those programs, as administered in the schools, are often entirely successful in meeting national objectives. Yet those aides and interns often operate in isolation from similar aides supported by Title I, ESEA, in the same schools, in isolation and without any effect on teachers not directly supervising them, and without causing much lasting change in the way things are done in those schools, and school systems. I believe that the renewal concept will keep the strengths of programs such as these (although Teacher Corps is not included) and build upon them to, in fact, bring about lasting changes.

There will continue to be a need for some categorical efforts reflecting national priorities. For example, sufficient attention would probably not be given to strengthening the capacity of colleges serving primarily black populations to train and retrain teachers, teachers who might well serve or be serving in renewal sites. Categorical support should and will continue to be directed to this purpose.

4. You propose that renewal centers be staffed with extension agents. What are the educational models for such persons, what will be their responsibilities, how will they be trained, what materials will be used?

The renewal concept consists of two separate, but related components: renewal sites for intensive improvement of education in districts having a substantial proportion of students from low-income families and which have been discussed in the previous three answers; and the educational extension system, for extensive services to educators throughout the United States.

Models

The educational extension agent concept has been adapted from numerous linkage models developed within educational settings. Chief among these are:

a. Subject specialist or resource persons operating as full time staff of State agencies, intermediate units or large local districts.

b. Decades of experience of school study councils in the use of university and local school specialists in selecting and introducing new programs into schools of the council members.

c. Contributions of publisher representatives in spreading information about new developments from one district to another, or of local development among staff within a district.

d. Experiences of field agents located in Title III (ESEA) centers and at a half dozen sites under Regional Educational Laboratory auspices, each of whose roles are evolving much along the lines proposed for the extension agents.

e. The Office of Education in 1970 established pilot State dissemination programs in South Carolina, Utah, and Oregon based on a formal educational linkage model integrating research and theory on educational change. Each pilot includes a comprehensive State agency information service unit, with trained retrieval and reference staff, and local field or extension agents who provide person-to-person linkage with educator-clients.

Responsibilities

Extension agents have certain key responsibilities:

a. Become trusted sources of information about new improvements.

b. Provide assistance to educators in defining problems and expressing precise needs for information on issues confronting them.

c. Deliver to their educator-clients current relevant information and help in response to their needs.

d. Followup to determine what additional information or assistance is needed.

e. Help clients to become motivated and more proficient in seeking and applying current knowledge and tested improvements.

f. Provide feedback to State and national bodies on information needs, needed research and desired new products.

Training

Persons will be recruited who have the skills, temperament, and abilities to perform person-to-person linkage roles successfully. They will then be trained in additional processes, technical retrieval and related skills. Training will also include briefings on research-based products now available from NCERD-supported efforts. As NIE products become available, agents will be systematically informed about these.

Materials

Materials used by agents now include:

a. Documents available through ERIC, usually based on computer searches conducted by the State agency information unit staff.

b. Descriptions of exemplary programs and practices collected by the State agency.

c. Descriptions of tested practices identified by OE and disseminated to each State information unit by the National Center for Educational Communication.

d. Listing of demonstration sites of exemplary programs in the State or in nearby States and lists of consultants and persons capable of providing technical assistance in numerous fields.

e. Detailed information on alternative research-based products, materials and practices from NCERD and other Federal or State sources, including sample or review packages of materials in print and audio-visual form.

f. Interpretative summaries of current knowledge on a variety of critical issues.

5. Have you made use of Title V, ESEA, for preparing persons for renewal responsibilities?

At the Federal level, the planning of educational renewal has capitalized on Title V, ESEA, experience. Title V staff has worked closely with renewal staff, for example, in developing guidelines for State Educational Renewal Centers. At the State level, it is probable that persons prepared particularly in planning and evaluation under Title V will form the core of the State Renewal Centers. I regard these two efforts as complementary, and important both in building the State capacity to support the renewal sites and in transmitting in a useful way the renewal approach to other parts of the States.

6. You propose to use EPDA, Part D programs in educational renewal. In view of the fact that some of the same OE personnel now supporting the renewal proposal were previously in leadership positions in BEPD, what has been the relationship of EPDA, Part D training to NCSC, NCERD and Title III ESEA programs in the past?

One of the primary reasons for bringing discretionary programs together under the Deputy Commissioner for Renewal is, of course, to achieve better coordination and a more effective impact for those programs. There was not sufficient coordination, in the program sense, among Title III, ESEA, EPDA, NCERD, NCEC and other programs in the old structure, while there was generally a good level of cooperation in individual projects, such as those mentioned in the response to your seventh question.

The reasons for this might be traced to differences in legislation, constituencies, traditional practice, and

perceptions of priorities, among other factors. Renewal provides a unifying set of priorities for those programs, and also a more effective administrative structure, and places them in a good posture to complement the National Institute of Education.

7. Last year, programs funded under NCEC/NCERD/Title III ESEA were used to launch several "installation efforts" which were aimed at utilizing some of the more promising products of regional laboratories and research and development centers. How have these efforts worked? What have been the failures and successes?

Three major installation efforts of tested and validated R&D products have been undertaken by the Office of Education. NCEC, NCERD, Title III, and BEPD cooperated in carrying them out.

The first is the SWRL Kindergarten Program, developed by the Southwest Regional Laboratory for Educational Research and Development. The program teaches beginning reading and conceptual skills fundamental to academic achievement. Five Information Resource Centers to allow observation of the program in a classroom setting were established in Florida, Arizona, California, and Illinois. Periodic reports from the centers have indicated considerable use, with both administrators and teachers attending. Interest in and reaction to the program by visitors have been positive. In addition to the resource centers, Title III, ESEA, funds will be used to support installation of the SWRL materials in some 400 school districts.

The second set of products is the Minicourses, a new and effective technique for teacher education, developed by the Far West Laboratory for Educational Research and Development. Ten centers where educators can see teachers upgrading their skills through Minicourses have been established in New York; New Jersey; Washington, D.C.; Pennsylvania; Illinois; Indiana; Wisconsin; Massachusetts; Texas; and California. Over 1,000 observers have used these centers in the first five months of operation, and over one-third reported their organizations would probably adopt the programs next year.

The third product is the multiunit Elementary School Program, which combines the principles of individually guided education and differentiated staffing. It has been installed in 298 schools in 13 States by the Wisconsin Research and Development Center for Cognitive Learning, Madison. The dissemination support includes provisions for State installation coordinators, training of key staff among adopting schools, and continuing technical assistance. Requests for installation help are running far ahead of resources available.

More important than the number of adoptions will be the effectiveness of the products in producing performance changes in those schools, whether changes will persist, what effects they will have on other parts of the schools and school systems. We will need to answer the simple question of whether or not the decisions to adopt were wise. Were they taken in the light of some reasonably sophisticated knowledge of the needs of the schools and school systems, and were they taken with a knowledge of the alternative products and processes available to meet those needs. We do not have evidence yet on these points. I do expect that educational extension agents and the development of renewal sites will increase the chances that decisions are sensibly made and that positive and persistent change occurs.

8. How do the proposed renewal sites differ from projects that can now be funded under Title III ESEA, which, as you know, includes authorization for "the development and establishment of exemplary models for regular school programs"?

There are several authorities, including Title III, ESEA, that might be broad enough to fund total renewal sites, depending on the priorities established by the local site and school district. However, one of the key concepts in renewal is that school districts are able to use these separate programs in a concentrated and systematic approach to educational improvement.

A focus of our planning is, however, Part D of the EPDA, since the key to improvement of education in the schools is the teachers and other staff in them. One of my hopes for renewal is that it not only will result in better educational performance by pupils, in many cases because of the increased competence of teachers and other staff, but also will bring a better sense of reality and responsiveness to current patterns of inservice and preservice training.

9. What mechanisms--at Federal, State and local levels--do you envisage for quality control and accountability for renewal centers?

The measures for quality control and accountability in renewal include plans, a management information system, monitoring and evaluation.

Plans

The local site plan is the basic operational document of a renewal site. It is the product of a comprehensive assessment of the educational needs in a renewal site. Persons with particular competence in needs assessment, typically from colleges and universities, but also from the school district staff or the State department of education staff, or elsewhere will assist in these assessments, especially in the technical aspects.

The national objectives of the renewal sites process are, first, to improve the educational performance of children in those sites, and second, to develop in those sites a modus operandi that assures continued reexamination of educational needs, constraints and solutions.

The development of the plan is essentially a process first of setting local site objectives, in terms of specified behavior or performance where possible, consistent with those national objectives; second, of identifying the constraints to meeting them; third, of developing an understanding of relationships among those constraints; fourth, the examination of a number of alternative ways of overcoming the constraints; fifth, the expression of that understanding of the relationship of the contraints and possible solutions in a sequence of activities that might be called the local renewal strategy; and sixth, determining the resources, money, people, materials and others needed to carry out the strategy.

Technical assistance furnished or identified by the States and/or the Office of Education will be available to the local sites to help in the constraint analysis, the identification of possible solutions, and the resource analysis--essentially the matching of resources presently available to the site and potentially available as a result of the renewal grant, to the possible solutions.

The initial plan will cover five years, the first year in detail. Objectives for each of those years, in the sense of progress toward the long range national objectives, will be set again in terms of performance where possible; and the evidence acceptable to the site, the State and the Office of Education that those objectives are being met will be described. In each of the subsequent years the plan will be updated in the light of experience, and the proposed operations in the subsequent year will be covered in detail. Office of Education funding will be made annually, contingent upon acceptable plans.

May I mention, parenthetically, some major difficulties in assuring quality control. First, the instrumentation to measure the accomplishment of the major objective, improvement in educational performance, is woefully inadequate, particularly as it applies to low-income populations. Second, the inductive approach, based on involvement of both producers and consumers of education, is sure to confound and confuse an otherwise rational planning process to some extent. Third, persons with high conceptual and diagnostic skills, and those with the subject matter competence needed in the planning and execution of the educational renewal sites process, exist largely in colleges and universities. Will they be willing to become involved in what can be an untidy effort? I have some optimism based on our experience in programs such as Experimental Schools, Training of Teacher Trainers, Career Opportunities and others.

I have gone into some detail on the development of the renewal site plans because they are central to the entire effort, and to the accountability issue. Once the plans are developed and accepted by the Office of Education, they become the keystone of the management information system, monitoring, and evaluation.

State educational agencies will also submit applications for funding the State Educational Renewal Centers, spelling out their objectives in coordinating State resources to support renewal sites, in developing an information base for the renewal effort, and in developing their own capacities for technical assistance and training. These become the basis for evaluating State performance.

Management Information System

A management information system keyed to the national objectives and conditions--low-income targeting, priority on services for the handicapped, educational performance objectives, renewal site council composition and operations, provisions for technical assistance and others--and also to the renewal site plans, is being developed. Obviously, the system itself will evolve and change as the site plans are developed. The system will capitalize on information now gathered by the National Center for Educational Statistics, particularly that gathered under the Consolidated Program Information Report (CPIR). The shape of the system is far from precise definition--a feasibility contract is currently being prepared--however it will be designed to alert the Office of Education to variances in renewal site operations that should be examined. It will also, of course, contribute to a cumulative understanding of progress of renewal by those responsible for policy, and it will provide information about other sites and about national performance to the sites, to the States, and to others involved in renewal.

Monitoring

Site monitoring procedures have not been completely worked out. It is obvious to me that the central staff of the Office of Education has neither the personnel nor the funds at the present time to accomplish the close monitoring that typically provides us with the best insights into local project performance. I expect that an arrangement for joint monitoring between central office and regional office staff will be worked out. Reports from those persons furnishing technical assistance and particularly from the States will contribute to our understanding of the situation at the sites, but the basic responsibility for monitoring the use of renewal funds is a Federal one.

Evaluation

Both national and local evaluation of renewal will be carried out. Each local educational renewal plan, on the basis of which grants will be made, will contain provisions for an independent evaluation of the impact of the local renewal process, based on the objectives spelled out in those plans. The terms and conditions of those local evaluations will be

negotiated, as a part of the total negotiation process leading to the grants, for consistency with the national evaluation design. Specifications for the design of that national evaluation are being developed with the assistance of experts in educational evaluation. It is probable that the actual design work will be contracted.

The local districts, the States, and the Office of Education are accountable to Congress for the effectiveness of the expenditure of educational renewal funds. I believe the measures described here will serve that purpose well; but the other order of accountability, of course, is directly to the consumers of education in the local renewal sites.

This will be served in three ways: first, through the normal legal responsibility of the district and its superintendent for renewal and the accountability to the local school board; second, through the involvement of parents and pupils in educational renewal site councils; and third, through the making public of all plans for and evaluations of renewal sites.

10. Much of your argument for your education renewal proposal has been based on the desirability of reducing the number of applications, guidelines and reports with which State and local education agencies must deal. How would this objective be affected if you must continue to require applicants to meet the conditions of the categorical programs involved in renewal?

The provisions of legislation governing each of the programs brought into the renewal sites process must and will, of course, be observed, and the funds accounted for accordingly. New regulations are being developed, based on this legislation, which incorporate all requirements for OE support of renewal. Also, there will be but one annual application for each renewal site, based on the comprehensive renewal plan, and one set of guidelines and reporting requirements.

The exception to this is the case in which a local renewal site wishes to incorporate programs other than those in the OE renewal effort, in their plans. In this case the local

agency will have to observe the legislation and regulations governing those programs. Within those constraints, we will work to see that the burden on the local agency will be the least possible.

11. You have changed your original renewal proposal by reducing to only three or four the number of discretionary programs to be included. How then can you demonstrate significant savings?

While there will be savings in terms of paperwork and administrative burden at both the local and Federal levels, the objective to me is not achieving savings in the traditional sense of the word, but increasing the effectiveness of expenditures under the programs brought together. For those reasons mentioned in my reply to your first three questions, I believe there will be significant increases in that effectiveness under the renewal concept.

12. Although you do not propose including all discretionary programs in education renewal, do you intend to give preference to funding those programs which are included?

Educational renewal and other priority programs of the Office of Education, such as those serving the handicapped and bilingual-bicultural populations, will be treated equally in requesting appropriations.

13. One of your arguments for renewal is that it will lead to comprehensive program design at the local level. Can this objective be achieved if only three or four programs are involved?

If the funds are sufficient at each site to make a difference and if those legislative authorizations involved are broad enough to permit consideration of a wide range of solutions to local needs, I believe the sites will be prepared to undertake the comprehensive design process described in my reply to question nine. The renewal funds may constitute only 10 to 15 percent of total support of the renewal site, but they may be quite large in comparison to the funds those sites have available now to undertake new activities and restructure and redirect old ones.

Our experience with targeted resources programs supports the conclusion that comprehensive program design will be carried out.

14. What is the relationship between your education renewal proposal and the Administration's special education revenue sharing proposal?

I expect educational renewal to complement special revenue sharing. The latter proposal would provide funds to States for the support of education in five broad areas, with a minimum of administrative burden. Meanwhile, renewal will concentrate on educational reform and improvement. This should lead, at the State and local levels, ultimately to more effective utilization of the revenue sharing funds.

15. What is the relationship between the education renewal proposal and the National Institute of Education?

Educational renewal should complement the National Institute of Education in a partnership to promote educational improvement. NIE will assume all of the research and development responsibilities now vested in OE. While OE will not engage in those functions, it should administer its programs, particularly the discretionary ones, in a manner that will promote the consideration and effective adoption of the products of research and development produced by NIE and other sources in schools, particularly those schools most in need of improvement, those serving low-income populations. The renewal concept accomplishes that shift in administrative practice, and places OE in a position to help more productively in the educational reform effort.

16. How can products and methods developed under NIE auspices be utilized in renewal programs if renewal sites are to be principally designated by the States and programs initiated by local school districts?

The State nomination process, and local school district initiation of renewal activities should have a positive effect on the adoption of products developed under NIE auspices. An important tenet of renewal is that decisions leading to effective and lasting change in education should involve those to be affected by the changes as well as those

with formal responsibility for education. This includes administrators, teachers, parents, and pupils among others.

Under terms of the local renewal plans, the sites will consider the adoption of a variety of alternative products of research and development. The responsibility of the Office of Education, in cooperation with NIE, is to furnish the sites with good information about those products that might satisfy their needs. This will be done through an active technical assistance effort. The final decision on the adoption of particular products is, of course, that of the district. The products will have to stand on their own merits, as they should.

17. As you know, one of the main reasons for President Nixon's NIE proposal is the failure of earlier efforts to disseminate effectively the results of educational research and development. Why have previous efforts at dissemination failed? Given answers to this question, how does the renewal proposal correct earlier mistakes? Has lack of concentration been the only cause of earlier failures?

The truth is that large scale systematic efforts to accelerate use of tested new products and materials simply have not existed. The Regional Educational Laboratories and R&D Centers have not been funded for dissemination. These organizations have only been able to support limited, small scale dissemination efforts. ERIC has remained as the only systematic dissemination effort, but is designed to transmit only printed information about new developments, and the support of dissemination other than ERIC in the Office of Education, particularly through the National Center for Educational Communication, has been marginal until very recently.

Other barriers to successful dissemination include persistence of the better mousetrap idea--that once good products are developed, they will automatically be received with enthusiasm and adopted. The complexity of the process by which consumers adopt innovation has been little appreciated, and person-to-person assistance in working through these processes has not been available. Finally, a paucity of fully developed and tested, easy to adopt new products has hampered dissemination efforts.

Still, activities supported over the last three years have provided models for State agency and local linkage programs as well as experience in ways to accelerate use of tested R&D-based products and exemplary practices. Illustrations of these developments are included in my responses to questions 4 and 7.

The renewal plan marked the beginning of a greatly expanded and strengthened program to move products from development to use. It will operate in conjunction with NIE, which will concentrate on developing practical new approaches and designing specific implementation strategies best suited for each. NCEC will assist by increasing its efforts to identify, document, and disseminate information about tested new products, practices, and materials. NCEC will also support development of linkages that will allow local educators to benefit from the results of tested programs developed elsewhere. This will be accomplished through establishment of comprehensive information units in all State agencies as part of the State Educational Renewal Centers and through the personal linkages of local educational extension agents with their colleagues.

In addition, the pool of tested educational improvements will be used in the planning process at the local educational renewal sites.

In this way, the renewal plan provides for the first time the structure and initial support for an effective national effort to help State and local consumers adopt better practices. With their concentration of funds, the renewal sites can begin intensive improvement processes, while under the State-local extension system approach, local educators across the country can obtain extensive information about an array of tested alternatives and technical assistance in trying out the ones that best fit their needs.

Concentration of dollars, as in renewal sites, is an important part of the overall strategy to facilitate use of improvements. Equally important is the development of an institutionalized set of linkages, through State agencies and local extension agents, who will be devoting full time to matching local needs against available tested alternatives provided regularly from OS and NIE.

18. In view of the fact that the major purpose of the National Institute of Education is, in the words of President Nixon in his March 3, 1970 Message to Congress on Education Reform, to serve as a "focus for educational research and experimentation in the United States," why should not the renewal centers, extension agents and other components of the renewal proposal be a part of the NIE dissemination and utilization program?

The renewal concept is not research and experimentation. That is properly the province of the National Institute of Education.

Renewal will concentrate on the improvement of education in particular sites and on the administration of OE programs, as mentioned in my answer to question 15. in a manner to meet that objective. In doing this it should provide the opportunity for the consideration and adoption of products developed under the auspices of NIE as well as other innovations proved useful in other school districts.

The Federal administration of renewal, characterized by an active partnership with State education agencies, calling for close and continuing relationship with local school districts, and requiring the commitment of funds to support teacher training, the acquisition of materials and similar expenditures over a period of five years, seems closer to the abilities and experience of the Office of Education than of any other agency. My feeling is, as I indicated in the response to the first question, that the Office of Education should maintain a vital and effective leadership role in education, one that capitalizes on its resources and experience.

In my judgment the renewal effort promises the fulfilling of that role and in a way that complements NIE.

19. As the President said in the same message, in justifying the need for the NIE, "Local schools need an objective national body to evaluate new departures in teaching and a means of disseminating information about projects that show promise." What role have the educational research and development community, the NIE planning unit and the NCERD staff played in the development of your renewal proposals?

Within the Office of Education, staff from NCERD and the NIE planning unit participated with staff from other units under

the Deputy Commissioner for Renewal in the early formulation of the renewal concept. Since that time detailed planning has been carried out primarily by those charged with the administration of renewal, the National Center for the Improvement of Educational Systems (NCIES), and the National Center for Educational Communication (NCEC).

The research community, the NIE planning unit, and NCERD staff have continued to participate in this effort in several specific ways. For example, the Leadership Training Institute primarily concerned with the development of the renewal site concept counts among its membership several persons with research and development competence. The NIE planning unit has worked closely with NCEC in planning the educational extension agent system. NCERD has a task force working with both NCIES and NCEC on the whole range of renewal activities.

20. What is the proposed role of higher education in the renewal idea? How will the renewal proposal facilitate innovation and reform in post-secondary education?

The present renewal concept is directed to change at the pre-school, elementary and secondary levels. I regard the proposed National Foundation of Higher Education as the counterpart to renewal at the level above secondary education. Should that proposal fail to become law, then consideration should be given to expanding the renewal concept beyond the secondary level. That process, though, would be an involved one, and the outcome might have little resemblance to the present plans.

Since training and retraining of educational personnel will be a major focus in many of the sites, however, renewal should contribute to reform of those functions in colleges and universities. The relationship developed between those institutions and the schools should result in new patterns of training more closely related to the needs of schools and their pupils, and in patterns that utilize resources from all parts of those institutions rather than just from the schools of education. This relationship will also present the colleges and universities with an opportunity to have more impact on the educational problems of schools, especially those schools serving low-income populations.

21. How do universities with strong and imaginative educational research and development and training programs fit into the renewal proposal? Are higher education institutions free only to respond to State/LEA/renewal center initiatives, or will universities be able to exercise initiatives?

I expect a large portion of renewal funding will be used to support colleges and universities in assisting the sites in needs assessment, constraint and solution analyses, training and retraining, evaluation, and other functions for which those institutions are particularly suited. This support will, as it does in several of our present programs, take the form of subcontracts from the local agencies to which the renewal grants are made, although direct funding of colleges and universities is possible when they enter into consortium arrangements with those districts.

The renewal effort will place the basic responsibility for performance under the grants on those agencies legally eligible for support, most closely responsible for the education of the children in the renewal sites. In this case the local school districts are those agencies. Colleges and universities will have every opportunity to exercise initiative in dealing with those districts. I expect many strong institutions to take advantage of those opportunities.

The central operational document in renewal is the local site plan. It provides the basis for the grant application and for subsequent negotiations with the Office of Education. A focus of those negotiations will be the effectiveness with which colleges and universities contribute to the renewal site effort.

22. Some current research from universities and elsewhere, including the Coleman report, suggests that educational renewal may require both the creation of new kinds of "schools" outside the current system and sweeping reforms of existing practices. If all renewal funds are controlled by States/LEA's, is it likely that challenging experiments will take place? Does the evidence from the experiments under Title III ESEA demonstrate the effectiveness of States/LEA's in stimulating educational innovation?

I agree that the nation needs both major reform of its present schools, especially those serving low-income populations, and experimentation with alternatives to present schools. The

educational renewal concept is designed to focus on the former task without, at the option of the local sites, precluding the latter. It seems to me that the role of the National Institute of Education properly includes support of experimentation with new types of "schools" that may fall completely outside of present systems. The Experimental Schools Program, which will be transferred to NIE, might form the nucleus of such an effort.

While the renewal concept is not designed to be experimental, but rather to promote the adoption of tested products of experimentation, there undoubtedly will be unique and innovative adaptations of those products to meet local needs. I do not believe that the State and local responsibilities for renewal will in any way vitiate these efforts. On the contrary, I believe those very responsibilities will contribute to the effectiveness and persistence of the changes.

On your last point, I am encouraged by recent experience under Title III, ESEA, both the reserved 15 percent under Section 306 and the State grant portion, by the growing capacities of State and local agencies to develop very innovative projects. The renewal concept, however, does not depend solely on the capacities of the States, or the local districts. It depends upon effective cooperation among the States, school districts, local renewal sites, colleges and universities and other agencies and people who can contribute to that process.

23. What evidence is there that State and local education agencies have sufficient research-related personnel and other resources effectively to design, test, carry out and evaluate renewal programs?

I think there is little question that many States and local districtsdo not have enough personnel skilled in needs assessment, evaluation and similar functions to carry out the full range of renewal activities. However, while the pattern is uneven, there have been marked increases in the capacities of most States in those areas as a result of Title V, ESEA support. Our State management reviews, which by the end of this year will have covered all States, confirm this.

The renewal concept does not anticipate or intend that all the resources necessary to carry it out will be found in State and local education agencies. One of renewal's goals is to build State and local capacities, and to help State and local officials find assistance from outside sources when their own capacities are not adequate. As I have said before, renewal sites will depend heavily on colleges and universities for this assistance.

Thank you again for your perceptive questions. I consider the educational renewal concept a sound one, well based in experience with previous programs. It has high potential for improving the effectiveness of the Office of Education.

I shall be pleased to respond to any further questions you may have.

Sincerely,

(Sgd.) S. P. Marland Jr.

S. P. Marland, Jr.
U.S. Commissioner
of Education

APPENDIX C

Office of Education—Administration of Programs

In connection with the committee's oversight hearings, a number of concerns expressed by witnesses and others who have been in communication with the committee about the administration of education programs have been brought to the committee's attention. Several of the amendments proposed by the administration in S. 3098 heightened those concerns. The Office of Education seems to have taken upon itself, in the judgment of some members, a leadership responsibility which is in excess of that expressly granted by law. It has been suggested that some of the States may have taken upon themselves greater authority in the administration of Federal education programs than that which is granted to them by the authorizing statute. Specifically, the Office of Education has assumed a responsibility for setting national priorities upon which Federal education programs should be focused; and the States, it appears, in some instances, have assumed the authority for imposing additional requirements for eligibility for participation in Federal educational programs. It is the position of this committee that national priorities are to be set by Congress and that the basic requirements for participation in Federal programs are set by Federal law alone. The committee is further cognizant of the fact that there are urgent needs for special emphasis with regard to use of Federal funds. The committee has recommended to the Congress a number of times that national priorities be set to meet critical needs in education. With the enactment of the National Defense Education Act in 1958, a precedent was set for congressional establishment of priorities in education. The Congress has continued to set priorities through the enactment of more than 30 major education laws in the past 10 years.

At times in recognizing national priorities, the Congress has directed the Office of Education to grant special consideration to applications which propose to carry out certain types of projects, as in the case of the special consideration set forth in title III of the Elementary and Secondary Education Act. The mere fact that Congress itself has designated priority areas of concern precludes those who are in administrative responsibility from taking upon themselves the setting of national priorities. This is a legislative, not an administrative, function. The Congress both authorizes appropriations and appropriates funds according to the will of the people. It is the proper role of the Congress, not the executive branch, to carry out the will of the people.

One of the amendments submitted by the administration in connection with title III of the NDEA would have required the States to set forth in their State plans any additional requirements imposed by the States for participation in title III of the NDEA. This committee was surprised that such an amendment should be proposed. For the mere fact that States might be imposing additional requirements for participating in Federal programs is far beyond what was intended in the enactment of title III of the NDEA. The States have no authority to impose additional requirements. It is not intended, and ought not be tolerated. Therefore, the Office of Education is directed to study the administration of title III of the NDEA and all other State plan programs in order to ascertain whether or not the States are imposing

additional requirements for participation in Federal programs. If it is found that States are imposing additional requirements, these facts should be brought to the attention of the committee in order that it may advise the Commissioner as to whether those sections of the appropriate laws which permit him to withhold for noncompliance with State plans shall be put into action. If this is done then no fund payments shall be made under the State plan until the administration of the State plans is brought back into compliance with Federal law.

It has been brought to the attention of the committee that some States may have imposed more strict maintenance of effort requirements upon local educational agencies than that which is authorized by the appropriate law, specifically allegations were made with regard to the State of Oregon in the administration of title II of the ESEA. If this be the case, the Office of Education is directed to take steps immediately to bring those States into compliance with the law.

The committee wishes to emphasize again that the Congress sets the sole criteria for participation in Federal programs. Basic eligibility for participation in Federal funds has, unless otherwise specified by law, been reserved to the Congress and not to administrative agencies.

The committee has added language to this bill which is designed to assure the maintenance of a proper relationship between the policymaking role of Congress and the administrative authority of the executive branch.

Section 208 provides (1) that the Commissioner shall not effect or agree to the consolidation of any programs which will result in the commingling at the Federal, State, or local level of funds derived from different appropriations, (2) that he shall not transfer funds from one appropriation for any use not authorized by that appropriation, (3) that he shall not enter into any agreement with a State educational agency which would abridge the provisions of law for the approval of programs, and (4) provides that no grant or contract derived from any appropriation to the Office of Education shall be conditioned upon the receipt of any grant or contract from any other appropriation.

The committee interprets the term "appropriation" to mean a specific line item in an appropriation act.

The committee has been concerned for some time that in the administration of education programs, the Office of Education is exercising discretionary authority not specifically authorized by law. These actions may not and probably are not in most instances prohibited by the letter of the law, but the committee believes that when a major reorganization of programs or approaches to the administration of programs occurs, the administration should seek changed or new authority in law for such efforts.

Our concern is that the purposes of legislation as carefully considered by the Congress may be modified or distorted by administration of the programs in a way that may pose serious problems.

The Office of Education has within the past year moved in the direction of packaging programs or the administrative aspects of the programs. These packaging efforts can be divided into three categories.

The first of these involves local packaging efforts. Two distinct

problem areas are involved currently: the rural isolated school districts and central city school districts. In the case of the rural isolated districts, six representative predominantly Negro school districts in three Southern States were selected for intensive study. The study was conducted by personnel from seven universities and reviewed by a committee of State, local university, and Office of Education personnel who developed recommendations for educational improvement.

Proposals for the districts to utilize title I and title III ESEA funds to meet major areas of need were developed under a contract with the Southeastern Educational Laboratory. The University of Georgia is conducting under title XI NDEA funds two special summer institutes for personnel from these six districts and some 240 other predominantly Negro districts which can benefit from this type of approach.

In the case of the central city districts, 23 central city projects have been approved under title III of ESEA for support amounting to approximately $12 million. This resulted from cooperative efforts involving the cities, State departments of education, regional offices of the U.S. Office of Education, and six regional educational laboratories and the Research Council for the great cities school improvement program representing the school administration in major cities. The coordinated planned programs also include title I of ESEA and State and local funds.

The second type of arrangement, consolidation of State education agency administrative funds, involves the development of a single application to the Office of Education to merge and account for as a single item, rather than by program service, the administrative funds available to them from State plan programs, including ESEA title I. The plans are designed to preserve the integrity of the individual programs.

The third approach involves coordination of program funds. Here the State develops a plan to accomplish specific program objectives. Various Federal programs may then be coordinated to accomplish these objectives. In no case are program sources to be masked, legislation or legal requirements breached, or program approval requirements changed. As an example, the State of North Dakota has proposed a highly coordinated plan to offset the training deficiencies of teachers throughout the State.

The committee does not wish to take the posture that it is opposed to packaging and coordination of Federal programs in local school districts. There are, undoubtedly, many advantages to be obtained from such efforts. It is our view, however, that such major changes in approach to the administration of Federal educational support programs should receive the full consideration of the Congress and be specifically authorized.

The language we are reporting is not designed to upset practices of packaging at the local level which we are informed have been followed in many districts for a number of years on local initiatives. It is not intended to stop efforts being undertaken by the Office of Education, State departments of education, and local school districts to take a new look at their patterns of administration. We recognize the need for close coordination of existing Federal programs and these programs, in turn, with other public and private efforts if we are to avoid

duplication and overlap of activities. This becomes even more vital in a period of high demand and the currently extreme budgetary situation.

Section 208 is designed to assure that there will be no diversion of one appropriation to another through a commingling of funds not authorized by law. We have been assured that the activities so far proposed would not result in such diversion. We are also concerned that the local or State options provided by law are not disturbed and that no coercion or undue pressure be used in the packaging efforts.

The committee would emphasize that the consolidation or packaging arrangement should be voluntary and preserve all local discretion, as provided in law.

On the basis of information presented to date, the committee does not see any real problem with the local packaging arrangements as embodied in the efforts to support rural isolated districts and central city districts. It has more concern with the consolidation of State administrative funds and the possible effects this may have on authorized programs, though it recognizes the possibility of some inherent advantages and administrative efficiencies.

In the case of the coordination of program funds, the committee is not clear as to the full implications which may be involved. Where it is clearly a State originated effort and does not violate the legislative prescriptions for approval of programs we see no particular difficulty at this time, to the extent that States do not impose additional requirement limiting the total eligibility of local schools.

Because of the possible implications to established programs the Office of Education should consider its current packaging efforts as merely experimental. The Commissioner of Education should report to the committee early in the next session the results of such activities and provide suggested language for legislation to authorize any desired packaging or consolidation arrangements. The committee will expect to conduct full-scale hearings on these approaches at that time.

Finally, it is recognized that in the developing of packages or coordinated efforts, there must be conversations between local and State educational agencies and the Office of Education. Such contacts, conversations or technical assistance are not prohibited by section 208(a); coercive efforts by the Office of Education and State educational agencies to bring about such arrangements are forbidden. The purpose of this section, it must be reiterated, is to maintain the voluntary nature of such arrangements on local initiative, as opposed to State initiative.

Another amendment proposed by the administration would have permitted funds authorized under subpart 2 of part B of title V of the Higher Education Act to be used by State educational agencies rather than by local educational agencies. That program in its original enactment was designed to assist local educational agencies in recruiting teachers. Teacher recruitment has traditionally been the function of local educational agencies rather than the States. The only role the States have traditionally played with respect to teachers has been one concerning the minimum qualifications for teacher certification. Recruitment and hiring practices have been left to local agencies. It is the position of this committee that the relationships between State and local education agencies are a matter of State and local law rather than one of Federal concern unless a constitutional principle is in-

volved. If the States are to take greater control of teacher hiring practices, this should be done by State law rather than by Federal law. This committee is absolutely opposed to changing State-local relationships by means of Federal law. This is beyond the power of Congress, and if those relationships are changed as a side effect of Federal law, an error has been made in the interpretation of the Federal law, it is not the intent of the Congress. At the present time the questions of teacher hiring practices, recruiting, and teacher salaries are of a very sensitive nature, one which this committee chooses to leave in the hands of local officials. This committee in rejecting the proposed amendment to title V–B–2, it made a purposeful decision to prohibit the use of Federal programs to change State-local relationships.

A third amendment proposed by the administration would have repealed those parts of title III of the NDEA which authorize funds for State administrative expenses and State supervisory services in critical subject matter areas. The committee feels that the administration was asking for an after-the-fact ratification of an earlier consolidation of titles III and X of the NDEA with title V of the ESEA. This this committee refuses to recommend, and in section 702 of S. 3769 recommends a prohibition against such consolidation.

The committee has reviewed the administration of education programs in a great deal of detail. The concerns of the committee have not been spelled out to the extent that the committee would like. This is because the committee has been faced with a deficiency of information and is reluctant to give greater direction than known facts would merit. The committee serves notice at this time that the Office of Education must in the future be in a position to provide it with greater detail and supporting evidence justifying both proposed amendments and administrative policies. The committee recognizes the fact that the Office of Education is not at the present time administratively equipped to deal with Congress in a day-to-day situation. However, the Office of Education has tripled in size for the last 4 years, and it is time for the Office of Education to organize at the Commissioner's staff level an office of congressional relations which will have two functions: (1) providing the Congress with the information necessary to conduct its oversight function and (2) exercising an internal review function.

At the present time the Office of Legislation within the Office of Education has done an admirable job in carrying out its duties, considering the fact that it is sorely understaffed.

The Commissioner is directed to reconsider the entire role of the Office of Legislation within the Office of Education and make whatever changes are necessary in order to assure that the Office of Legislation can and will carry out the functions which are inherently associated with an agency's relationship with Congress.

APPENDIX D

The Use of Local Contexts

Personnel development in education can take a variety of forms. Some are more effective than others.

Within the creatively interpreted limits of current legislation, the Office of Education should seek to place Federal support primarily in projects which place education personnel development in local contexts where there is a comprehensive, cooperative attack on system problems.

(a) We suggest this as across-the-board policy for all education personnel development programs administered by the Office of Education - institutes, fellowships other than NDEA Title IV, institutional training programs, in-service projects, etc.

(b) "System problems" include curriculum change, methodological change, organizational and structural change, change in objectives, new approaches to the needs of student groups, etc.

(c) "Local contexts" is intended to mean actual endeavors, organized by plan, to accomplish, or test, or explore a program change. This may well be a state

plan to provide more adequate educative opportunities for four-year-olds, for example. Or it may be an endeavor in education within a given ghetto. The key ingredient is all-out, multi-faceted attack where doing - instead of passive studying about - is prominent.

(d) Perhaps the most important desideratum is that students, parents, and community groups as well as the various institutionalized agencies be involved in these endeavors as bona fide partners. The objective in having these people work together is to conduct education personnel development as an integral part of system reform and improvement.

These two pages were part of the 1968-69 report of the National Advisory Council on Education Professions Development. These pages were part of a major section of the report entitled "Recommendations Addressed to the Commissioner of Education."

At the time this report was submitted (January 31, 1969), Harold Howe II was Commissioner of Education, and Professor Laurence D. Haskew was Chairman of the Council.

APPENDIX E

SECTION A - SOME ESSENTIAL ELEMENTS OF POLICY

The word "policy" has been used a number of times in this report. It is important to specify what is meant by this term when applied to efforts related to the training and development of educational personnel.

Policy, in our view, means a declaration which will clearly communicate the ends and means intended in a given effort, and the rationale by which the ends and means were determined.

The outline below identifies four elements that should be considered in fashioning policies related to education professions development. This outline is designed to be a helpful guide to those responsible for the development of policy. It is not offered as a definitive statement. However, it is hoped that it will provoke discussion of ways in which improvements may be made in the formulation of policy. Obviously, in an area representing such great variety of activity, all elements will not necessarily be applicable to all situations.

With these caveats, we suggest the following be taken into account in the formulation of policy:

a. Formal written statements - identified as official policy and readily available to those who will be affected - should be prepared by each agency.

b. All significant policies of an agency which bear upon the training of educational personnel should be brought together in one statement. This would include both policies which deal with general issues and those which pertain to special issues related to the several programs of an agency.

c. The following matters, as a minimum, should be treated in a policy statement:

(1) Objectives. No obligation rests more heavily on those in the Federal agencies than that of developing objectives which will govern a given educational effort. Yet, all too often, objectives are stated with such brevity and in such general terms that they do not communicate what is intended. Equally limiting is the practice of identifying, as objectives, those goals stated in the authorizing legislation, without showing how they relate to the

particular set of circumstances being dealt with in a program.

In the development of a statement of objectives, it is essential that the character of the need, or problem, which brought a program into being be identified and fully described. Equally important, the nature and extent of the accomplishments that are being sought should be described in as concrete terms as possible.

(2) Strategies. Having established the objectives of the program, the agency has a task of working out the means by which the objectives are to be realized. A policy statement should reveal what these strategies are and provide the rationale which led to their adoption. Such a rationale should make it evident why the agency feels that the means employed to realize objectives are the most efficient and effective that can be devised.

(3) Priorities. Two types of priorities need treatment in a policy statement. First, where authorizing statutes give an agency latitude in the determination of how funds are to be allocated, decisions

must be made by the agency as to which broad problem areas are to be attacked. Second, having established programs to deal with these problem areas, an agency must communicate to school systems and colleges what kinds of proposals will be given priority consideration. In either case, a policy statement should spell out the range of options which were considered and reveal the criteria and rationale used in selecting those which have been accorded priority.

(4) Evaluation. Evaluation is a subject that should be given a prominent place in a policy statement. Included here should be the purposes evaluation is designed to serve; the criteria by which the program and the projects are to be judged; the types of evaluation to be employed; the time in the life of the program (or the projects) at which evaluation is to be undertaken; and like matters. Again, the policy statement should provide the rationale supporting these major decisions. Admittedly, establishing evaluation policies before a program is operational is extremely difficult. But confronting this question at the outset will introduce a useful discipline

into the development of objectives, strategies, and priorities.

(5) Diversity. Clearly, the manner in which educational personnel are trained will have a profound effect on the philosophy, the curriculum -- indeed, the whole nature of the education received by students whom these personnel serve. Thus, the Federal Government, in actions it takes to improve the qualifications of educational personnel, cannot be indifferent to the philosophical or ideological bases of the various approaches to personnel training it elects to support. It would be more than unfortunate if any Federal agency having responsibilities in this area became so preoccupied with efficiency or effectiveness that it supported only one approach - or only certain kinds of approaches - to the exclusion of others which represent varying philosophies or values.

In the administration of Federal programs, great care must be taken to insure that all reasonable ways of dealing with a given problem - as proposed by school systems, universities, or other responsible

bodies - are entertained and given support. A policy statement should include both a clear endorsement of this principle of diversity and provisions that will leave no doubt that the principle will be honored in practice.

d. The usefulness of a policy statement depends not only on what subjects are included, but also how these are defined, elaborated, and discussed. Outlined below are some of the more important attributes of such elaboration:

(1) Clear delineation of the problems to which a given effort is designed to respond. Programs of the Federal Government in the field of education often appear to be solutions devised before a problem is adequately defined. Problem definition and assessment of need are the fundamental building blocks of sound policy. It is particularly important that this analysis of problems reveal an understanding of the factors which brought the problems into being.

(2) A fully developed rationale. The credibility of the major positions set forth in a policy statement depends on the manner in which they are

justified. Assumptions, data, research evidence, logic, hypotheses, and, above all, "the best judgments of sensible men," should be clearly laid out to support the validity, the relevance, and the feasibility of what is being attempted.

It is imperative that this task be approached with complete candor. Those responsible for developing a rationale should indicate where areas of uncertainty lie and what degree of confidence can be placed in evidence that is invoked. Unwarranted certitude will lead only to expectations which cannot be realized. Those in the agencies who have the courage to deal frankly with these matters should receive every support from the Congress and the educational community.

Providing a rationale for each important component of a policy statement will also aid in the resolution of one of the thorniest problems facing an agency: in discretionary programs, how much flexibility or autonomy should be accorded those who direct Federally-funded projects in the states, in schools or colleges, and in other local settings?

The public interest is best served when an agency avoids the extremes of detailed and arbitrary prescriptions on the one hand; and, on the other, a stance which conveys the impression that any interpretation of a statute or program is permitted. In dealing with this problem, an agency has two obligations. First, to insure that its policies reflect the letter and intent of governing statutes, and where circumstances require interpretation, to make clear both the agency's interpretation of the statute and the reasoning behind its construal. Second, for matters not dealt with explicitly in the statutes, to take positions on those issues which it deems important, and to provide an adequately supported -- and publicly-stated -- rationale for these positions. All other actions can appropriately be left to the initiatives of those carrying out the projects.

(3) Evidence of system-thinking. Efforts to improve the training and development of educational personnel cannot be considered in isolation from curriculum, organizational arrangements, and the

other realities of the educational process. Hence, policies concerning personnel should demonstrate how these other factors have been taken into account and show how a given effort will relate to, and reinforce them.

This kind of comprehensive approach is applicable to the concept of personnel development itself. One of the main purposes of the Education Professions Development Act is "to improve the quality of teaching." This general purpose, conveyed in other statutes as well, requires that consideration be given to two kinds of action. First, attracting to the education professions those whose attitudes, intelligence, knowledge and skills offer the greatest potential for carrying out their tasks in an effective fashion. Second, taking whatever steps are necessary to insure that the potential of those individuals who are recruited to educational endeavors is brought to full realization.

It is generally recognized that training, both before the individual receives his first assignment and throughout his career, is essential in developing

his potential. However, attention to a host of other factors is also necessary if general improvement in the quality of teaching, counseling, and administration is to be achieved: more relevant criteria in licensing educational personnel; a reward system that motivates people to the highest achievement of which they are capable; arrangements for the most effective utilization of the various kinds of talent available in a faculty; an approach to tenure which safeguards the interests of both student and faculty member; special efforts to provide assistance and counsel to educational personnel in the critical first several years of their career; environmental conditions that will increase the prospect that the efforts of educational personnel will be met with success; and like matters. A policy statement should indicate how an agency plans to deal with these factors.

(4) Specification of categories of personnel to be affected. The specific categories of educational personnel, as well as the number of individuals who are to be affected by a program, should be clearly identified. Such a statement should be accompanied

by an indication of the manner in which the special needs of a particular category of personnel will be met by the proposed course of action.

(5) Clear statement of the nature, quality and quantity of the yield expected from the effort -- and over what time span. A very useful discipline for those engaged in policy development is to provide a "picture" of the accomplishments that may be expected at a particular point in time. These estimates of outcomes or results, made at the outset, are needed to guide those concerned with the implementation of policy and those concerned with the evaluation of policies, programs, and projects.

(6) Alternative courses of action considered and why rejected. It is not satisfactory for an agency to declare a given course of action as the most appropriate one unless alternatives which were considered, and the reasons for their rejection, are also revealed in a policy statement.

(7) Conditions for the success of an effort. Often a policy can be effective only if certain conditions -- some outside the purview of the

policy-maker -- are present. A policy statement which makes note of these conditions will increase the likelihood that they will be taken into account in the planning of specific local projects.

(8) Anticipating possible adverse consequences of a policy. Advocates typically see only the advantages of a course of action they are advancing. Unless the possibility of adverse consequences (or side effects) is also explored, and unless steps are taken to provide for their amelioration, costly mistakes may result.

(9) Other Federal, state or local policies and programs taken into account. A policy statement should review what related efforts are underway or contemplated, and indicate how the intended course of action will complement these activities and, at the same time, avoid duplication.

(10) Active efforts at coordination. An effective approach to the training of educational personnel requires bringing to bear a variety of resources, not all of which may be found in a single agency of government. Though a policy statement will, of

necessity, be concerned primarily with carrying out the specific mission assigned to a unit of government, it should also reflect an awareness of the larger context within which that mission is to be carried out. With that larger context defined, it is important that a policy statement indicate what steps will be taken to coordinate related government activities, and how this coordination will result in a more effective attack on the problems that have been identified.

(11) Planned variation. Knowledge concerning the training of educational personnel is not sufficiently advanced to predict with certainty which of any several ways to proceed on a problem will produce the most effective results. If policies of effective means make provision for supporting, concurrently, different approaches to a problem, it will be possible to examine the effects of these variations when the policies are carried into action. Thus, planned variations can provide information essential to future policy determinations.

(12) Pilot efforts and policy. "Planned variation" is appropriate for insuring that alternative approaches are taken in dealing with specific problems of personnel training and development. Similar provisions need to be made in connection with the general policies of agencies engaged in these activities.

It is unrealistic to assume that these general policies - even if developed and executed under optimum conditions - will necessarily produce the results intended. An agency must be prepared with alternatives when it becomes evident that existing policies are not working.

The need for evidence to support these alternatives must be anticipated. This requires that, at the point when an initial set of policies is adopted, alternatives be identified, and resources be devoted to support pilot efforts designed to determine their advantages and limits.

(13) Exemplification. It is entirely appropriate that policies enunciating the broad goals in education be stated in the most general terms. However, policies concerned with effective implementation of these goals need considerably more specification.

The language employed to describe educational activity tends to be vague and ambiguous. In particular, educational innovations are often advanced in terms of slogans and catch phrases which obscure rather than clarify.

It is important that, in developing policies of effective means, terms be defined. Even more important, educational concepts employed in policy statements should - in every instance possible - be accompanied by citations of particular settings where the concepts have been applied in action and where the character and quality of this application most closely approximates what is being proposed on a national scale.

(14) Critical mass. There is one observation about Federal activities in education that can be made with considerable confidence: the resources needed to produce effective results in any given setting or project have, in general, been substantially underestimated. Specifically, (1) the amount of money allocated to a project often bears little relationship to the magnitude of a task being

attempted by the school system or college involved; (2) the time in which favorable results can be expected is typically estimated to be in the order of two or three years when it would be more realistic to think in terms of five to seven years, or more; (3) resources are devoted to only one aspect of a problem despite the fact that the impact sought after can be achieved only if improvements are brought about, concurrently, in several aspects of the educational process.

The development of realistic objectives and strategies requires that considerably more attention be given to (a) achieving a "critical mass" in local projects, and (b) establishing criteria which can be employed to estimate, in any given instance, what minimum resources will be needed to produce results.

* * * * *

It should be clear, from the foregoing, that policy statements --

(a) will be substantial documents, running to many pages;

(b) will require great skill and considerable time to develop, if they are to be done well;

(c) are not substitutes for Guidelines (prepared by agencies for those who wish to submit proposals) or for Regulations (which are designed primarily to serve legal purposes). Guidelines should be a summary of the major features of the policy statement. The policy statement would then serve as a context within which the Guidelines could be interpreted;

(d) are not substitutes for a planning process or a system of management control. The development of a policy statement should precede the adoption of an approach to these forms of administrative action.

To summarize: the essential attributes of a policy statement, as we have defined it, are --

(a) that a course of action be defined and justified to the point where what is intended is eminently clear to all who need to know;

(b) that the issues related to the course of action be examined with such thoroughness that an

intelligent judgment can be made about the soundness of policies that are being proposed, or policies that have been adopted.

APPENDIX F

SECTION C - ESTABLISHING POLICY PANELS

The Council has placed considerable emphasis on policy panels as an important means of bringing about improvements in policy formulation. More detailed information on this idea is provided here.

Functions. A policy panel would have these functions:

a) To develop a statement, in the manner outlined in Section A, which would be recommended to an agency for adoption as official policy. In preparing these recommended policies, a panel would involve agency personnel in their deliberations and draw heavily on their knowledge and recommendations. However, the final product would represent the independent views of the panel. At the same time the agency would, of course, be free to adopt, adapt or otherwise respond to a policy statement prepared by the panel.

b) To recommend policies governing courses of action which were revealed to be necessary on the basis of an examination of needs, but which were not authorized by existing legislation, or not dealt with because limited funding or the existing mission of

the agency precluded their consideration. Such policy recommendations would be prepared for consideration by the higher levels of the Executive Branch or by the Congress, as appropriate.

c) To establish the means by which those who wished to do so could present to the panel critiques of existing or recommended policies, or could offer new ideas for strengthening policies.

d) To review annually the adequacy of policies in force. This review would take into account new needs, new knowledge, and the degree to which existing policies were producing the results intended.

e) To identify, on the basis of its initial experience in developing policies, and on the basis of its subsequent reviews, the kind of information (for example, specific kinds of manpower data) needed to improve policies. Few appreciate how limited are the data needed in educational policy-making.

Composition. Panels would be composed of five to seven members, appointed by that person in an agency

having the broadest responsibility for the training and development of educational personnel.

Those selected for the panel would be persons outside the Federal Government who could offer special expertness in the development of policy related to a particular problem or category of educational personnel. A most important consideration would be that the group selected represent various kinds of expertness and the widest diversity in philosophy and approach to problems. (Such a mix would include those concerned with theoretical matters and those with experience in operational realities; scholars in the academic disciplines and scholars concerned with the educational process; high-level decision makers and outstanding practitioners; those engaged in training educational personnel and those involved in employing the personnel who have been trained; persons who advocate varied approaches to the same set of problems; persons who are especially knowledgeable about quantitative and qualitative manpower needs; those with experience in the proposal-review process; and individuals representing fundamentally different philosophical positions.)

Assignment. Panels would be established at each of several administrative levels: (1) for each significant program of an agency; (2) for each unit administering a group of related programs; and (3) for each unit of government responsible for the overall administration of educational personnel training activities. (Employing the terms commonly used in the Executive Branch, these panels would be assigned at the branch, division, bureau, and Department levels.) Certain problem areas (for example, improving the qualifications of educational personnel engaged in vocational education, career education, and manpower training) are dealt with by several Federal agencies. In such cases, it would be advantageous to establish a panel whose concerns were not confined to a single Department.

Operation. Panels would be established whenever new legislation, or significant amendments to existing statutes, were passed; whenever major changes in policy under existing legislation were contemplated in the Executive Branch; and for programs which are now in existence, but for which no panels were established when the programs were inaugurated.

The complexity of policy development requires that members be in a position to work full time on this task over at least an eight to ten-week period. Panels assigned to undertake annual reviews of policy could be appointed for a somewhat shorter period of time.

Draft statements developed by these panels, together with comments by the agency, would become public documents. Expression of minority views of panel members would be encouraged and cited.

It should be evident from the details set forth in this section that panels would differ -- in intention and in operation -- from the practice of some agencies which invite individual consultants or advisory groups to provide oral reactions to program ideas currently under consideration.

Advantages. The statements prepared by policy panels would be employed in three ways:

a) they would provide the agencies with a set of recommended policies which would be of substantial assistance in the development of official policies;

b) they would enable the National Advisory Council on Education Professions Development to provide a more systematic and comprehensive review of the operations of the several Federal agencies responsible for the training and development of educational personnel. With this information the Council would submit to the President and Congress periodic reports appraising the adequacy of policies; indicating where more coordination among the agencies was required; comparing official policies with those recommended by the panels; determining what overarching policies were required with reference to the training of educational personnel; recommending whatever changes in legislation or executive action were revealed to be needed as a result of these reviews; examining the extent to which the members appointed to these panels represented the greatest possible diversity in philosophy and approach;

c) they would encourage more widespread discussion of questions related to the training of educational personnel. We would hope that the document prepared by a panel would be something of the

nature of an unofficial White Paper; that the panel would examine issues, interpret evidence, provide explanations for its positions, and suggest alternatives - all with such thoroughness that the product of its efforts would enable citizens generally to debate, in the most enlightened fashion, the central issues concerning the training of educational personnel.

There is no reason why government at any level, and particularly at the Federal level, need be remote from the people. We need suitable mechanisms to make decision-making processes in education accessible to all concerned citizens. And above all, the public in a democratic society needs to be informed about the issues.

* * * * *

The cost of establishing a panel is estimated to be approximately $35,000 to $40,000. Such a substantial outlay demands justification.

There are a number of Federal programs concerned with the training of educational personnel. Many have annual appropriations in excess of five million dollars.

Most are authorized over a five-year period. Set against the expenditure of $25 million for a single program, the cost of establishing a policy panel can represent a wise investment, if such a device contributes significantly to the more effective use of program funds.

Whether a policy panel will make such a contribution has yet to be demonstrated. It is for this reason that we have recommended that the panel idea be tried on a pilot basis before consideration is given to more widespread adoption.

Over the past decade the Federal Government has supported a variety of efforts designed to explore ways to bring about improvements in American education.

It is no less important that efforts also be made to explore ways to bring about improvements in those aspects of the political process which so deeply affect the future of the nation's educational system. We offer the policy panel proposal as one means to bring about such improvements.

APPENDIX G

Attachment to Council letter to Commissioner Marland, dated January 29, 1972

Questions Concerning Renewal Plan

1. It would appear that the renewal plan places almost exclusive emphasis on in-service training. What proportion of the effort would be devoted to pre-service training, and what will be the bases for determining how much of the resources are directed at each of these needs.

2. Are the individual efforts to be school-based or university-based? Who is to be the fiscal agent? If the plan calls for the local efforts to be school-based, what is the rationale behind this? (An alternative, for example, would be to support university-based programs, with community involvement, and to have educational renewal carried out in the schools.)

3. If the concentration of low-income parents is to be one of the major criteria for selecting sites, why is the primary emphasis to be on urban areas? (Urban depressed areas appear to have high incomes than rural depressed areas.)

4. It would appear that plans call for a very rapid application of the renewal idea to a large number of sites. What information will the Office of Education need to launch an endeavor of this magnitude and to do so with confidence that the renewal plan will be met with success? Are there any pilot efforts now underway which are designed to test the major features of the renewal plan? What kinds of information will these efforts yield? When is it expected this information will be available? Will this information come in time to make the decision about a full-scale national effort?

5. Who will be responsible for on-going evaluation? What kinds of information is needed to enable the Office of Education to cut off the funding of a local effort (or require a redirection of a local effort)? What information will be needed to make the same kinds of decisions with respect to the full-scale national effort? When would such information be available? What specific provisions have been made for accountability?

6. What are the current plans for the National Institute of Education generally, and specifically with reference to education professions development? How will NIE relate to the renewal effort? What is a conservative estimate of the time that will elapse before NIE efforts related to the training of personnel can be made available to the local renewal sites?

7. Who will establish the guidelines for "parity"? What are the major elements of these guidelines as they relate to parity?

8. It would appear that a substantial amount of the funds for renewal will be devoted to the process of launching the effort, working out relationships between the parties (Federal, state, and local -- and, within the local, school, university, and community). What proportion of the resources will be left for the job of training the educational personnel?

9. How will the respective House and Senate versions of current higher education legislation affect the renewal proposal?

10. In "Windows to the Bureaucracy", considerable emphasis is placed on "conditions for success" of an educational endeavor. What kinds of materials (e.g., protocol materials) are needed for renewal? Are these now available? If not, when will they be available? What is the minimum amount of funds needed by a 5000 pupil site to assure its success? How was this figure arrived at?

11. Considerable emphasis has been placed in needs assessment. Is the state of the art in this sufficiently advanced to have confidence in it? Who will evaluate the quality of the needs assessment as it is carried out?

ANSWERS TO EPDA ADVISORY COUNCIL QUESTIONS

1. The present renewal site plans do place emphasis on in-service training. The thesis is that meaningful change in the schools will have to involve changes in the attitudes and competencies of their staffs. It is possible, however, that some of the sites will choose to devote substantial resources to pre-certification training such as that provided by the Career Opportunities Program. The local school districts, with the advice of the renewal site councils, will determine the proportion of effort devoted to pre-service training. There is, of course, a large variety of things the renewal site may engage in in addition to training.

2. A basic tenet of educational renewal is the improvement of the responsiveness of schools to the needs of their pupils. Therefore, as in COP and Urban/Rural School Development, the renewal grants will be made to those agencies legally eligible that are most responsible for meeting those needs, in this case the local school districts. We fully expect colleges and universities to be involved early in the local renewal site councils, and thus to share in decision making for those sites. It is also likely that many local school districts will choose to subcontract with one or more higher education institutions for parts of the training necessary.

3. The low income criterion is not an absolute one in terms of dollar or other income. The intent is to direct resources to those places in which the most critical educational problems exist as a result of concentrations of low-income populations. Our estimate is that the distribution of

projects found in COP and U/RSD, in which the same criterion was used and in which the recommendations of the States were generally followed in selecting sites, will apply. While our current rhetoric includes a two-thirds urban/one-third rural estimate, I suspect that the rural component could vary between one-half and one-quarter of the projects, depending upon the nominations of the States.

4. Present plans are to support 50 to 70 pilot sites in the initial year. We hope to have one in each State, and in some States more than one depending on the availability of funds. While the renewal concept, as a single strategy, is new, the various elements are not. Teacher Corps, TTT, COP, U/RSD and Experimental Schools all have given us experience with, for example, the notion of cooperative community, school, university development and implementation of projects; with the need for the total school approach; with the need for multi-year commitments of support; with non-threatening technical assistance. In addition, the initial six TREND sites and the Louisville site concentration effort have given us experience in the more comprehensive approach to the needs of children in schools. Some of this experience is reflected in formal evaluations--the RMC evaluation of Teacher Corps; evaluations of the Louisville effort. But most of the experience has been gained through the continuing involvement of our staff in the development and implementation of those programs and projects.

5. Our present plans call for the systematic gathering of process information by the Office of Education in a manner similar to that used by the Career Opportunities Program. That information, and the reports of monitoring teams, will provide a basis for continued funding and/or redirection decisions. Those decisions, of course, will be based on the local district plans.

Plans for a national renewal impact evaluation are also being drawn. We expect, by June, to let two contracts, one for evaluation system design, and another for instrumentation design. The impact evaluation will, to the extent possible, be based on pupil performance changes.

Accountability provisions are being built into the guidelines. Essentially they will require local districts to develop clear objectives in performance terms which are realistically measurable.

6. After extensive study by both its staff and outside consultants, the NIE Planning Unit has chosen to plan the Institute's research, development, and organizational activity around three major educational problem areas. They are: (1) resource development--broadening and strengthening the knowledge base and research manpower, (2) directed programs--mounting contractual research programs that identify research and develop significant and major alternatives to present practice, and (3) improvement of practices--identifying, validating and demonstrating existing programs that are found to be meritorious to the improvement of education as an art, science and profession.

Further studies have indicated that the reallocation of resources, quality of education, and education for the poor and disenfranchised represent three major programmatic areas of concern that embrace most all of our educational problems. This NIE planning must be regarded as tentative at this point pending passage of legislation and the appointment of a Director.

The renewal strategy will, of course, offer opportunities for the field testing and implementation of products of research and development as they promise solutions to the educational problems of local renewal sites. NIE should contribute substantially to that flow of products. Organizational arrangements and more specific plans for linking the two efforts depend, of course, upon the shape of the legislation finally enacted, and the timing of that legislation.

7. The guidelines for "parity" will be established by OE with the help of representatives of universities, professional organizations, local school districts, communities and others. The statement used in our present planning on the renewal site council is the following: An LEA must develop or show evidence of potential for developing an effective educational renewal site council. This council shall provide overall project direction, including needs assessment, planning, and project implementation and evaluation, within the framework of existing State and local school board regulations. The council will be representative of the school community, including, for example, the staff of participating schools and other appropriate elements of the school district. Legal authority and responsibility for the operation of the project funded rests with the local school board.

8. The first year of the renewal effort will be primarily devoted to planning and development including training renewal site project staff. However, some few sites are expected to be fully operational within the first school year (1972-73). The great majority of sites will become operational, in the sense that the training and other renewal activities called for under the local renewal plan will start, in the second year--school year 1973-74. It should be pointed out that the major portion of funds granted during fiscal year 1973 will be for the support of operations including training, during the subsequent year, not for launching the effort.

9. The House version of the Higher Education Act incorporates Administration proposals for extension of Title V, the Education Professions Development Act, and is entirely consistent with present renewal planning. The Senate version includes specific earmarking of EPDA funds and a limitation on funds under a new dissemination authorization that replaces Title IV, Elementary and Secondary Education Act (Cooperative Research). This, of course, would restrict our ability to respond to the needs of the renewal sites.

10. There is no special kind of material that is considered indispensable to the renewal site effort. It is true, however, that "protocol and training materials" as described by B. Othanel Smith, in Teachers for the Real World, seem to be essential to any furtherance of the notions of "performance-based" instruction or certification. We are therefore moving as fast as is feasible to support the preparation of these materials. It will be at least two more years before enough will have been prepared to make a difference. Other materials are available from current research and development efforts (e.g., Regional Education Laboratories) and are being identified by NCEC.

The amount of funds needed at a site depends upon the needs identified, the priorities set, and the comprehensive plan. However, the amount won't be provided just by NCIES and just out of EPDA funds. The EPDA funds, through the renewal process, are expected to catalyze other available funds (from Federal, State and other sources) all of which would be responsive to the comprehensive renewal site plan.

11. Several States and local school districts, as well as some colleges and universities, have developed successful needs assessment instruments. In addition, our experience with TREND has given us reasonable confidence in the process of needs assessment. The quality of the needs assessment will be evaluated both locally at each site and nationally as a part of those evaluations mentioned under number 5.